

"It's not just about teachers; it's not just about testing or absenteeism. It's going to solve a lot of problems," Sen. Huffman said.

A working group of 40 superintendents from the 12th Senate District recommended the issues that are addressed in the bill, which members say was applauded by more than 300 school leaders at a recent Buckeye Association of School Administrators meeting.

Waynesfield-Goshen Schools Superintendent Chris Pfister, who led the group, described the legislation as "a good start to eliminating barriers, redundancy, bureaucracy and (saving) time and money."

He was joined at the press event by superintendents from Coldwater, Minster and St. Henry schools as well as the Minster County Educational Service Center. They detailed provisions in the bill and explained why they're necessary.

St. Henry Schools Superintendent Julie Garke said the bill will require the Ohio Department of Education to study College Credit Plus - a program that many deem costly and time consuming for districts and higher education institutions.

"We are excited to see the results about the program and see if it is meeting expectations," she said. "Are students saving money on college tuition? Are students reducing time to obtain their degrees?"

The measure would also codify changes to the Ohio Teacher Evaluation System that were recommended by the Educator Standards Board and accepted by the State Board of Education earlier this year. (See Gongwer Ohio Report, August 23, 2017)

Mercer County ESC Superintendent Shelly Vaughn said the recommendation to roll teachers' value-added scores into the OTES rubric will put the focus of evaluations back onto informing teaching.

Although many of the bill's provisions are geared toward reducing burdens on administrators, Sen. Huffman said they'll also benefit students.

"If the superintendent or the administrators are taking their time to try and get a particular issue handled that doesn't really appear to be helping the school that ODE say's you gotta do it, or the teacher is taken out of the class to get training they don't really need because ODE or the General Assembly says you have to do it, then that's all affecting the student," he said.

"If it helps the superintendents run the school better, it helps the students," he added.

Proponents Push For More Hearings On Proposal To Exempt Feminine Products From Sales Tax

Nearly two dozen proponents in person or in writing pushed a House committee Tuesday to continue hearings on a bill to exempt feminine hygiene products from sales tax.

But whether the House Ways & Means Committee will grant that request remains to be seen, according to Chairman Rep. Tim Schaffer (R-Lancaster).

"We'll take it hearing by hearing and if the committee wants to hear more and continue it's the committee that's in charge," Rep. Schaffer said in an interview. "I want to make sure this is a good, thorough, effective committee process and make sure if the committee wants to hear it, we're going to have more hearings."

Rep. Brigid Kelly (D-Cincinnati), who sponsored the bill (HB 61) with former House member Greta Johnson, said she'll continue making the case among her colleagues that these products are medical necessities - not luxury items - and should therefore be exempt. (See Gongwer Ohio Report, May 2, 2017)

"I'm hopeful the witnesses we brought in today helped the committee to see why this is an important issue not just for women in our state but for everyone," Rep. Kelly said. "We're going to see if they have any more questions we can provide information to them and continue moving the process along."

Among the 18 proponents giving or submitting testimony were private citizens, attorneys, the Ohio Women's Public Policy Network, and Columbus and Cincinnati city council members.

Dzidra Brown, of the Ohio Association of School Nurses, recounted how low-income students will line up Monday mornings to receive tampons and pads from school nurses because their families can't afford an adequate supply.

And a pair of representatives from Boxed Wholesale told of how their company feels so strongly about the issue it has lowered the price of feminine hygiene products and other products - like ladies' razors - that are inexplicably priced much higher than their male counterparts.

"States like New York, Connecticut and Illinois have already taken the initiative to repeal the tampon tax last year and hopefully it's just a matter of time before the entire nation follows suit and removes this discriminatory and unnecessary tax on a basic biological function," the company's Nitasha Mehta said.

Similar bills have stalled in prior General Assemblies before the committee, but Rep. Kelly points to this version's three Republican cosponsors - Rep. Niraj Antani, Rep. Michael Henne, and Rep. Nino Vitale - as progress.

"A number of our colleagues on the Republican side have indicated they are supportive of this which is really exciting they recognize the importance of a piece of legislation like this," she said. "We're really thrilled to get a second hearing and just continue the

process and give people a chance to come and talk about why this is important to them and the women of our state."

Rep. Schaffer said there's no definite timeline in which he expects to gauge the committee's temperature on the bill, adding that on this and other bills, "we've got a lot of homework to do."

Regarding the testimony, he called it "very well thought out, very thoughtful testimony. I appreciate the education. The education on this bill in particular is very important."

Subscribers Note: For a full list of proponents and copies of their testimony see the committee's website under Oct. 10.

Former Opioid Dealer Urges Stronger Sentencing Requirements

Members of a House panel took full advantage Tuesday of the presence of a reformed drug dealer during a legislative hearing, as they sought to gauge a bill's potential impact on the trade.

The bill in question (SB 1) is an attempt to crack down on the trafficking of synthetic opioids - like fentanyl and carfentanyl, which are far stronger than heroin - by increasing penalties for drug dealers.

Several witnesses - including Wayne County Prosecutor Daniel Lutz, a former addict and parents who lost children to overdoses - appeared before the House Criminal Justice Committee during the bill's second hearing.

But it was the testimony of Tugg Massa, a former dealer who is now five years sober and founder of Akron Say No To Dope, that got lawmakers talking. They sought to understand the bill's full impact and to what degree dealers are aware the drugs they're peddling are almost assuredly going to end up killing someone.

The bill would lower the threshold for a first-degree felony from 100 grams to 20 grams and would require the bulk amount - including any non-drug substances - to count toward the total amount when determining possession.

Lawmakers, though, have questioned previously whether that threshold is still too high and whether such "filler" substances should be counted. (See Gongwer Ohio Report, February 8, 2017)

Mr. Massa said that a person with anything below a half of a gram is likely a go-between rather than a dealer. Rep. Bill Seitz (R-Cincinnati) requested elaboration regarding that distinction.

"Because you're not going to trust an addict with your money," Mr. Massa replied. Only dealers, he continued, would carry larger amounts.

Under further questioning, Mr. Massa explained that in Ohio, pure heroin is rare. Virtually all of it, he said, is laced with fentanyl or carfentanyl. As far as mixing agents, Mr. Massa said it's common to cut those substances with sleeping aids available at most drug stores or with "a multitude of other things."

Rep. Seitz asked the witness whether in his view the bill's language considering filler material toward the total amount of the drug is the correct approach.

"If I've got 10 grams and one gram is fentanyl but the other 9 grams are (a sleep aid) then we'd treat it under this bill as 10 grams in fentanyl," Rep. Seitz said. "In your opinion, is that appropriate?"

"Yeah, because it takes that little bit to kill someone," Mr. Massa answered. "These people are premeditatedly selling these drugs knowing it's not if someone's going to die, it's when someone's going to die."

He added that it's not rare for dealers to be unaware that what they're selling includes fentanyl or carfentanyl. But he told Rep. Tavia Galonski (D-Akron) he doesn't believe that ignorance should shield them from stiff punishment.

"I think these people have to know this is deadly," he said.

Rep. Jim Butler (R-Oakwood) asked how dealing a potentially fatal substance is different that something like armed robbery.

"With armed robbery you're not intending to kill somebody," Mr. Massa replied, adding that many addicts view dealers as friends. "With fentanyl you know nine times out of 10 someone's going to die from your mixture."

Subscribers Note: For full testimony see the committee's website under Oct. 10.

School Employees Pension Fund Suspends Cost-Of-Living Adjustment

The state retirement plan for school employees has announced it will suspend cost-of-living increases for three years, citing efforts to reach long-term funding goals.

The School Employees Retirement System Board used authority granted in the biennial budget (HB 49) to make the change, which begins on Jan. 1, 2018. A legal challenge is expected.

"SERS engaged in a two-year process for determining the best way to address the system's short-term and long-term financial challenges that was open and inclusive for all of our stakeholders," Executive Director Richard Stensrud said in a statement. "The board considered a number of proposals that would have addressed the board's goals, but in the end they were in agreement that this was the best course of action. I want to thank our advocacy group partners for their input at all stages of this difficult but necessary process."

The board also directed staff to seek legislation to delay the start of COLA increases for future retirees and recipients until the fourth anniversary of their benefit, meaning future retirees will be treated the same as current retirees.

The system is aiming to get its funded status to 70% by 2018, and 90% by 2032. The first goal will allow some money to go toward health care, and the second will protect the system in the event of a financial downturn, according to SERS.

The Ohio Association of Public School Employees expressed disappointment with the move.

"We have been very clear about our position on these COLA cuts and freezes," OAPSE Executive Director Joe Rugola said. "Hundreds of our members rallied at SERS this summer. We called. We sent postcards. We attended board of trustee meetings, and we had numerous conversations with the trustees. Unfortunately, the SERS board of trustees ignored our members' voices."

Mr. Rugola said members have an average pension of less than \$1,200 per month and many don't receive Social Security. He said the union intends to file a lawsuit in an attempt to stop the move.

"We want our members and retirees and SERS officials to know that this vote is just a first step in our long-term fight to protect the pension benefits of our active and retired members," he said.

The Ohio Retirement Study Council recommended changes to the COLA in April, backing legislation (HB 242) that was later added to the budget. (See Gongwer Ohio Report, April 13, 2017)

ORSC's staff recommendation said the cuts were necessary to help the pension fund improve its health care fund, which is only funded for seven years.

SERS is not alone in suspending cost-of-living adjustments. The State Teachers Retirement System's board voted in April to suspend its COLA. (See Gongwer Ohio Report, April 20, 2017)

The Ohio Public Employees Retirement System is also considering changes to its COLA. (See Gongwer Ohio Report, August 21, 2017)

Court Clarifies Allowable Evidence Gained Through Warrants

Prosecutors can use evidence obtained through a search warrant even if officers violate Ohio's knock and announce law, the Ohio Supreme Court decided Tuesday.

In a 6-1 ruling, the court found that the exclusionary rule is not the correct remedy for such a violation.

The case stems from a 2012 situation in which an informant participated in a controlled buy of heroin from Harsimran Singh, near the apartment where he lived with girlfriend Sherri A. Bembry.

Following the buy, Boardman police officers approached Ms. Bembry's apartment, first announcing themselves and then entering after time went by.

Mr. Singh argued that the entry into the apartment was faster than police said, and suggested he was unsure whether it was police who were at the door. Law enforcement acknowledged that it never stated its purpose was to execute a search warrant.

The search resulted in the collection of drugs, drug trafficking instruments and a stolen weapon, resulting in a variety of charges. Ms. Bembry and Mr. Singh sought to suppress the evidence, arguing that the search did not comply with the terms of the Fourth Amendment.

Writing for the majority, Justice Bill O'Neill said there are multiple levels of protection against unreasonable searches.

"The knock-and-announce principle applies only when police execute a valid warrant," Justice O'Neill wrote. "To acquire a valid warrant, police must first convince a neutral magistrate that there is probable cause to believe that a crime has been committed, sufficient to justify pulling aside the veil of privacy from the contents of a home."

"It makes fundamental sense that we would not restore privacy to the contents of a home to remedy the violation of a rule that applies only after the interest in privacy in the home has been overridden," he continued. "To do so would be to make an end run around the authority of the magistrate that issued the warrant. There is a basic conceptual disconnect between the interests protected by the knock-and-announce principle and those vindicated by the suppression remedy."

The court added that case law doesn't assist the arguments made by Ms. Bembry and Mr. Singh.

"We are never bound by prior decisions of inferior courts," Justice O'Neill added. "But these decisions fail even as persuasive authority for the argument advanced by Bembry and Singh. Each of the decisions offered by Bembry and Singh expressly rely upon the Fourth Amendment as the constitutional authority for suppressing evidence or affirming an order suppressing evidence."

Justice Judith French dissented, and said she would have dismissed the case as being improvidently granted.

The decision affirms the ruling of the Seventh District Court of Appeals, which overturned a trial court ruling.

Casino, Racino Revenue Little Changed In September

Ohio's four casinos and seven racinos had revenue totals in September that were little changed from the month before, according to revenue reports released Tuesday.

The casinos brought in a total of \$67.1 million in the month, up from \$66.7 million in August, according to reports from the Casino Control Commission. The casinos' take was \$63.9 million in September of 2016.

At the racinos, revenue from video lottery terminals was \$79.3 million, up less than \$300,000 compared to the previous month, the Ohio Lottery Commission reported. They listed \$73.1 million in revenue the previous September.

Hollywood Columbus led the way among the casinos, earning \$18.3 million in September, up slightly from \$18.2 million in August. The casino had revenue of \$16.8 million in September 2016.

Hollywood Toledo took in \$16.3 million for the month, little changed from the \$16.2 million the month before but up significantly from \$14.7 the year before. The casino continues to be the most reliant on slot machines, earning \$13.4 million from them compared to only \$2.9 million for table games.

JACK Cleveland saw its revenue change little in September, falling to \$16.77 million from \$16.84 million in August. The casino brought in \$17.1 million the previous September. JACK Cleveland has the most balance between its slot machine and table game earnings, with \$8.8 million coming from slots and \$8 million from the tables.

JACK Cincinnati reported earning \$15.7 million in September, up from \$15.4 million in August and \$15.3 million in September 2016.

Racinos: Four of the racinos saw their revenue rise month-to-month, while three saw declines.

Miami Valley Gaming saw the biggest gain, rising by almost \$664,000 to \$12.3 million for the month. Hollywood Mahoning Valley Race course saw its revenue increase by \$312,000 to \$9.3 million, while Hollywood Gaming's Dayton Raceway took in \$273,000 more than the month before, at \$8.3 million.

Belterra Park posted a modest gain of \$162,000, to a hair under \$7 million.

Hard Rock Rocksino - Northfield Park posted the biggest month-to-month decline, with its total of \$19.5 million - the highest in the state - coming in \$794,000 below the August number.

JACK Thistledown saw a decline of \$280,000 to \$9.3 million, while Scioto Downs saw its total fall almost \$60,000 to \$13.5 million.

Politics Notebook: Brown Camp: \$8.3 million Banked For Reelection Bid; Groups Analyze Tax Policy, School Funding; Corporate Funds Decried in Issue 2 Campaign

U.S. Sen. Sherrod Brown took in more than \$2.6 million during the third quarter and will report \$8.3 million in cash on hand for his next filing, the Cleveland Democrat's campaign reported Tuesday.

Friends of Sherrod Brown said it was the second straight quarter of record fundraising for an off election year, and the incumbent now has double what he totaled at this point in the 2012 election cycle.

"While billionaire-backed special interests pour money into our state in an attempt to buy this Senate seat, Ohioans are rallying to Sherrod's campaign," campaign Manager Justin Barasky said in a release. "The overwhelming support is a testament to Sherrod's record of delivering for Ohio, and the importance of reelecting him in 2018. Ohioans know Sherrod is on their side, fighting against the out-of-state special interests who profit from the dysfunction they helped create."

Depending on the outcome of a GOP primary that's expected to be contested, Sen. Brown could face a repeat challenge from State Treasurer Josh Mandel or businessman Mike Gibbons.

Tax Analysis: Pushing back on the narrative that tax cuts don't equate to economic growth, the Buckeye Institute for Public Policy Solutions on Tuesday released an analysis that found tax and spending policies under Gov. John Kasich and the GOP-led legislature have resulted in added jobs and increased personal income for Ohio citizens.

Employing a "macroeconomic dynamic scoring model" developed by economists at Buckeye's Economic Research Center, the analysis found that the policies: made Ohio families wealthier; created nearly 7,000 more jobs; raised personal income by \$500 million; and saw Ohio's employment rates and economy outperform most of its regional competitors.

"Contrary to the arguments levied by opponents of tax reform, this analysis shows that the tax reforms implemented by Governor Kasich and the General Assembly have led to economic growth in Ohio," Rea S. Hederman Jr., the Institute's executive vice president, said in a statement.

"As they continue to study Ohio's tax policies, this analysis can serve as a guide to the 2020 Tax Commission, showing that instead of the failed policy of attempting to tax and spend Ohio to prosperity, further tax reform would keep the state on the path to greater economic growth."

Mr. Hederman added that "greater spending restraint and further tax reductions is the smart path for Ohio policymakers to take as they continue to reform the state's tax and spending policies."

K-12 Spending Panned: Policy Matters Ohio, a research group at the other end of the political spectrum, opined in a report released Tuesday that the primary and secondary budget passed last spring by state lawmakers "shortchanges Ohio students."

The group issued three analyses, finding that: K-12 funding fell slightly when adjusted for inflation; funding for the Ohio College Opportunity Grant "falls about \$150 million short a year,"; and the State Share of Instruction for higher education institutions went up by less than half of what colleges and universities requested.

"Ohio policymakers say they want the state to be competitive and business friendly, but we can't be if we don't have a skilled and educated workforce," Policy Matters State Policy Fellow Victoria Jackson said. "When we starve K-12 and higher education, we're not only robbing students of important formative experiences, we're hurting the Ohio economy."

"In the 2018-2019 budget, lawmakers had the opportunity to set Ohio's public education system on a better path, instead they doubled down on policies we know don't work," Ms. Jackson added, saying that charter schools are siphoning off \$2 billion from traditional K-12 venues. "They are funneling taxpayer money into failing institutions and draining resources from public education to cut taxes for the wealthy and give big breaks to corporations. There are better uses of our resources, like investing in Ohio's future through our students."

Issue 2: The group Ohio Move to Amend is pointing to Issue 2 as Exhibit A in why "why we need to get corporate personhood rights out of the constitution and money out of politics."

The group is lamenting the fact that the battles over the issue, projected to be one of the most expensive in state history, feature financing from pharmaceutical entities that are able to hide behind an LLC.

A spokesman for the group opposing the issue suggested Move to Amend should look at proponents' ads as well.

Move to Amend, however, focused on the Big Pharma participation.

"The 'No on Issue 2' Campaign website features a long list of organizations lined up against the measure including physicians, healthcare professionals, chambers of commerce, manufacturers' associations and even the Ohio Air National Guard. However, the real story behind this campaign can be found in the July 2017 campaign finance report filed with the State showing that substantially all the funding for the "No on Issue 2" campaign has come from one source, the Pharmaceutical Research and Manufacturers of America," Move to Amend stated in a release.

"Money should not be considered free speech. Issue 2 provides a clear and compelling example of why we need to get corporate personhood rights out of the constitution and money out of politics."

Dale Butland, spokesman for the opponents, said in response, "While the No on Issue 2 campaign has no position on Move to Amend or its agenda, it's odd that the organization would focus its attention only on the money our campaign has spent, while completely ignoring the millions of dollars that the Yes side has spent, all of which has come from an out-of-state foundation that makes 80% of its money from selling, you guessed it, prescription drugs."

"As for which campaign is pushing claims that 'have no resemblance to facts,' Move to Amend may want to review the Yes side's latest TV ad which promises voters a '\$400 million tax cut' - which was recently exposed as totally false by the *Cleveland Plain Dealer*, he added. "Or maybe they should talk to such respected Ohio institutions as the Cleveland Clinic and the Cleveland City Club about the 'cease and desist' letters both organizations were forced to send last week after their positions on Issue 2 were willfully misrepresented in Yes side campaign materials."

"After all, I'm sure no organization billing itself as 'non-partisan' would want to leave the impression that it is only concerned with the amount of money being spent, and not with the lies and deceptions that money is paying for," Mr. Butland said.

Capitol Scene: JLEC Notes Late Lobbyist Filings; Campbell Named President At SPP

A few dozen lobbyists and their employers have received notices of late activity/expenditure reports from the Joint Legislative Ethics Committee, the panel reported Tuesday.

The lists include lobbyists and clients who did not file required reports by the Oct. 2 deadline.

Legislative Inspector General Tony Bledsoe said lobbyists and employers were sent a postcard reminder 30 days before the filing deadline, and are also sent multiple emails, including a failure to file email after the deadline.

The next step is notice via certified mail, he said. Failure to file upon notice can result in a late fee of \$12.50 per day for each report owed. The maximum late fee per report is \$100. Continued failure to file is a 4th degree misdemeanor."

Strategic Public Partners: The firm announced Tuesday that John Campbell has been promoted from executive vice president, a post he has held for the last five years, to president.

In this new role, Mr. Campbell will direct the company's financial goals, objectives and budgets, and will also manage staff, including organizational structure, professional development, personnel policies and procedures.

Mr. Campbell's resume includes service on the executive leadership teams of the 2012 "No on Issue 2," 2010 Portman for U.S. Senate and the 2009 "Yes on Issue 3"

campaigns. He also served as central Ohio district director for U.S. Sen. Rob Portman, executive director of the Franklin County Republican Party and coordinator of public policy and political events for former Ohio Governor Bob Taft.

Company co-owner Darrin Klinger said Mr. Campbell "has grown into this role and is well-suited to assume the responsibilities that come with it."

Firm co-owner Brandon Lynaugh added, "John's knowledge and experience in local, state and federal politics and grassroots efforts have been invaluable for our clients, and we're excited that he is taking on this new leadership position with the firm."

Governor's Appointments

Central Ohio Technical College Board of Trustees: Robert A. Montagnese of Pataskala for a term beginning October 10, 2017, and ending September 30, 2020.

Ohio Commission on Fatherhood: William A. Dodson, Jr. of Columbus for a term beginning October 10, 2017, and ending July 30, 2019.

Medical Quality Foundation Board: Edward J. Levine of Gahanna for a term beginning October 10, 2017, and ending July 20, 2020.

Oil and Gas Leasing Commission: Michael W. Wise of Chagrin Falls for a term beginning October 10, 2017, and ending September 29, 2018.

Attorney General's Opinion

No. 2017-034. Requested by Clermont County Prosecuting Attorney D. Vincent Faris.
SYLLABUS:

A person may not serve simultaneously as Clermont County Auditor and member or Treasurer of the Board of Trustees of the Clermont County Convention and Visitors Bureau.

Supplemental Agency Calendar

Thursday, October 12

Educator Standards Board, Quest Business Center, 8405 Pulsar Pl., Columbus, 5 p.m.

(Committee meetings)

Friday, October 13

Educator Standards Board, Quest Business Center, 8405 Pulsar Pl., Columbus, 9 a.m.

Supplemental Event Planner

Tuesday, October 24

Sen. Sean O'Brien (D-Bazetta) fundraiser, Condado Tacos Downtown, 132 S. High St., Columbus, 5 p.m., (Platinum \$5,000; Gold \$2,500; Silver \$1,000 to O'Brien for Ohio)
Wednesday, November 15

Rep. Janine Boyd (D-Cleveland Hts.) and Rep. Stephanie Howse (D-Cleveland) fundraiser, Einstein Bros. Bagels, 41 S. High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Janine Boyd and Friends of Stephanie Howse)

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House Activity for Tuesday, October 10, 2017

INTRODUCED

HB 373 ■ **CONCEALED WEAPONS** (Vitale, N.) To permit any person who holds a valid concealed handgun license to carry a concealed handgun in a courthouse, a courtroom, or a government facility of this state or in a government facility of a political subdivision of this state if the political subdivision has not enacted an ordinance or policy that prohibits a licensee from carrying a concealed handgun into the building or the court has not enacted a rule that prohibits a licensee from carrying a deadly weapon or dangerous ordnance into the courthouse or courtroom. Am. 105.41, 123.011, 2923.122, 2923.123, and 2923.126

HB 374 ■ **CHILD ENTICEMENT** (Duffey, M., Cupp, R.) To create additional criminal prohibitions within the offense of criminal child enticement and to classify criminal child enticement as a tier I sex offense when committed by a registered sex offender. Am. 2905.05 and 2950.01

HB 375 ■ **ROAD NAMING** (Bocchieri, J., Lepore-Hagan, M.) To designate a portion of I-680 in Youngstown as the "Frank Watson Memorial Highway." En. 5534.97

HB 376 ■ **ROAD NAMING** (Bocchieri, J., Lepore-Hagan, M.) To designate a portion of United States Route 422 in Youngstown as the "Harry Meshel Memorial Highway." En. 5534.57

HB 377 ■ **SEXUAL ABUSE** (Hagan, C., Ramos, D.) With respect to age-appropriate student instruction in child sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention. Am. 3313.60 and 3319.073 and to enact sections 3314.0310 and 3326.091

HB 378 ■ **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. Am. 184.10 and to enact sections 122.97, 122.971, 122.972, 122.973, 122.974, 122.975, 122.976, 122.977, and 122.978

HB 379 ■ **LICENSE PLATE** (Patton, T.) To create the "Line of Duty Sacrifice" license plate. En. 4503.435

CALENDAR FOR COMING SESSION

SB 27 ■ **MONTH DESIGNATION** (Beagle, B.) To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month."

HB 24 ■ **VETERAN ORGANIZATIONS** (Ginter, T.) To modify the existing tax exemption for veterans organizations' property to include property of certain veterans organizations exempt from federal taxation under section 501C(4) of the Internal Revenue Code and to exclude property that is not used primarily for meetings, administration, and the provision of programs and services to past and present members of the United States armed forces.

HB 76 ■ **LICENSE PLATES** (Arndt, S., Gavarone, T.) To create the "Ohio National Guard Ohio Cross" license plate and the "Ottawa National Wildlife Refuge" license plate.

HB 79 ■ **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

HB 184 ■ **DENTISTRY** (Gavarone, T., DeVitis, T.) To authorize the provision of dental services through teledentistry, to require a proposal for creation of a primary care dental student component of the Choose Ohio First Scholarship Program, and to make other changes to the laws governing the practices of dentistry and dental hygiene.

HB 226 ■ **FIREWORKS** (Seitz, B., Sweeney, M.) To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer

grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks.

HB 311 ■ **ROAD NAMING (Johnson, T.)** To designate a portion of State Route 348 in Scioto County as the "Roy Rogers Happy Trails Highway."

REFERRED

Aging & Long Term Care:

HB 362 ■ **HPRS RETIREMENT (Carfagna, R., Ramos, D.)** To revise the law governing the State Highway Patrol Retirement System.

Community & Family Advancement:

HB 366 ■ **CHILD SUPPORT (Gavarone, T.)** To make changes to the laws governing child support.

Criminal Justice:

HB 348 ■ **DRUG TRAFFICKING (Ginter, T.)** To provide that the penalty for trafficking in, possession of, or funding of trafficking in fentanyl or carfentanil is the same as the penalty for those crimes involving heroin, to increase to a third degree felony the trafficking in or possession of at least one gram but less than five grams of any of those drugs, to provide that deception to obtain a dangerous drug involving fentanyl or carfentanil is a third degree felony, and to provide a per se prohibited concentration of fentanyl and carfentanil regarding operating a vessel or motor vehicle that is the same as the per se prohibited concentration for heroin.

HB 349 ■ **POLICE ANIMALS (LaTourette, S.)** To increase the penalty for assaulting a police dog or horse and to include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal.

HB 354 ■

COURT JURISDICTION (Reineke, B.) To provide the Tiffin-Fostoria municipal court with concurrent jurisdiction with the Seneca County court of common pleas in operating a drug addiction recovery program.

HB 355 ■

SEXTING (Hill, B., Rezabek, J.) To generally prohibit sexting by a person under 21 years of age.

HB 365 ■

PAROLE MONITORING (Hughes, J., Boggs, K.) To provide for indefinite prison terms for first or second degree felonies and specified third degree felonies, with presumptive release of offenders sentenced to such a term at the end of the minimum term; to generally allow the Department of Rehabilitation and Correction to reduce the minimum term for exceptional conduct or adjustment to incarceration; to allow the Department to rebut the release presumption and keep the offender in prison up to the maximum term if it makes specified findings; to require the Department to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Act.

Education & Career Readiness:

HB 360 ■

BULLYING (Greenspan, D.) To enact the "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at public schools and public colleges.

Energy & Natural Resources:

HB 356 ■ **COMMERCIAL NETTING (Young, R.)** To amend the laws concerning commercial netting in Lake Erie.

Finance:

HB 369 ■ **SCHOOL FUNDING (Sweeney, M.)** To prescribe a per pupil funding guarantee for certain school districts and to make an appropriation.

Financial Institutions, Housing & Urban Development:

SB 163 ■ **COUNTY INVESTMENTS (Wilson, S.)** To modify the qualifications regarding notes eligible for investment of county inactive moneys.

HB 353 ■ **UNCLAIMED FUNDS (Reineke, B.)** To exempt certain open-loop prepaid cards, closed-loop prepaid cards, and rewards cards from the Unclaimed Funds Law.

HB 368 ■ **LAND CONTRACTS (Lepore-Hagan, M.)** To make changes to the law relating to land installment contracts.

Government Accountability & Oversight:

HB 352 ■ **DOGS LAW (Rezabek, J., Huffman, S.)** To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law.

HB 361 ■ **TAX COMPLAINTS (Greenspan, D.)** To increase the time within which boards of revision must decide property tax complaints.

Higher Education & Workforce Development:

HB 363 ■ **CAMPUS SPEECH** (Goodman, W., Brenner, A.) To enact the "Campus Free Speech Act" with respect to the freedom of speech and assembly at state institutions of higher education and the charging and allocation of student activity fees.

Insurance:

HB 367 ■ **DENTAL INSURANCE** (DeVitis, T.) To prohibit a health insurer from establishing a fee schedule for dental providers for services that are not covered by any contract or participating provider agreement between the health insurer and the dental provider.

State & Local Government:

SB 71 ■ **AGENCY CONTRACTS** (Manning, G.) To allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute contracts valued at \$50,000 or less without the board's prior approval.

SB 144 ■ **DISABILITIES COUNCIL** (Burke, D.) To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities and to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council.

HB 359 ■ **STATE FLAG** (Stein, D.) To create a suggested ceremonial procedure for retiring an Ohio state flag.

HB 364 ■ **VOTER REGISTRATION** (Clyde, K.) To designate the fourth Tuesday of September as "Ohio Voter Registration Day."

HB 370 ■ **STATE SEAL** (Perales, R.) To add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms and Great Seal of the State of Ohio.

Transportation & Public Safety:

HB 346 ■ **ROAD NAMING** (West, T.) To designate a portion of State Route 172 in Stark County as the "Football Heritage Corridor."

HB 347 ■ **ROAD NAMING** (Kelly, B., Dever, J.) To designate a portion of I-71 in Hamilton County as the "Sonny L. Kim Memorial Highway."

HB 350 ■ **ROAD NAMING** (Craig, H.) To designate a portion of State Route 317 in Franklin County as the "Patrolman Dane L. Rowe Memorial Highway."

HB 357 ■ **LICENSE PLATE** (Miller, A., Boggs, K.) To create the "Grandview Heights Schools" license plate.

HB 358 ■ **ROAD NAMING** (Arndt, S.) To designate a portion of State Route 19 in Ottawa County as the "Sgt. Jordan Marshall Memorial Highway."

HB 372 ■ **ROAD NAMING** (Romanchuk, M.) To designate a portion of Interstate Route 71 in Richland County as the "Richland County Veterans Memorial Highway."

Ways & Means:

HB 351 ■ **MILITARY TAX EXEMPTION** (Perales, R., Butler, J.) To require municipal corporations to exempt from taxation the military pay of members of the commissioned corps of the National Oceanic and Atmospheric Administration and Public Health Service.

HB 371 ■ **PROPERTY TAX** (Merrin, D.) To exempt from property taxation the increased value of land subdivided for residential development until construction commences or the land is sold.

HOUSE SPEAKER'S APPOINTMENTS

Ohio Advisory Council for the Aging: Appoint Reps. LaTourette and West

COMMITTEE HEARINGS

Financial Institutions, Housing & Urban Development

HB 251 **SUBDIVISION INVESTMENTS (Greenspan, D.)** To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys. (REPORTED; 4th Hearing-All testimony-Possible vote)

Brad Cole, managing director of research for the County Commissioners Association of Ohio, testified that changes proposed in the bill allowing counties to invest in state and local bonds with greater maturity could increase investment returns to county general funds.

"Better investment returns will relieve some of the fiscal pressure on counties due to instability in other major revenue sources to the general fund," Mr. Cole said.

Union County Commissioner Gary Lee submitted written testimony in support of the bill.

"Permissive authority to invest in secure bonds of state and local governments to realize greater investment returns is a common sense method for increasing investment income at a time of increased fiscal pressure on other county revenue sources," Mr. Lee said in testimony.

Tom Whiston, Chairman of the Morrow County Commissioners and Secretary of the County Commissioners Association of Ohio submitted written testimony in support of the bill.

HB 282 **CRIMINAL MISCHIEF (Hambley, S.)** To expressly prohibit criminal mischief relating to residential rental property and to prohibit a metropolitan housing authority from renting or providing housing assistance to a person who has recently been convicted of criminal mischief relating to residential rental property. (CONTINUED; 2nd Hearing-Proponent)

Dan Acton, government affairs director of the Ohio Real Estate Investors Association, said the opportunity to subject tenants to a criminal mischief charge for knowingly damaging property is a "welcome tool in the property ownership toolbox."

Mr. Acton explained that typical terms and conditions in lease agreements allow for "normal wear and tear" and that the national average cost of turning over a property is equal to three month of rent, not including the rent lost during the vacancy.

In cases where rented property is intentionally damaged beyond typical "wear and tear," seeking civil damages in the courts is the only legal option for property owners, which can be very expensive and does not guarantee financial relief, he said.

"The knowingly standard is the key to this bill," Mr. Acton said. "A tenant must have knowingly engaged in this behavior for the application of the law to occur."

Rep. Kent Smith (D-Euclid) agreed that the knowingly standard is key. The representative asked Mr. Acton to provide insight into how "knowingly" applies in matters where, for example, a dishwasher is damaged and it is unclear who is at fault.

Mr. Acton replied that a dishwasher and other non-working appliances are not the subject of the bill. Rather, the legislation applies to scenarios where doors have been ripped off their hinges, holes are found in walls, and the property has been spray painted, among others.

Rep. Catherine Ingram (D-Cincinnati) inquired about the terms of a conviction under the legislation, and how the prosecution would prove that the tenant was the culprit and not another occupant or visitor.

Mr. Acton said that tenants would be protected by the standard burden of proof "beyond a reasonable doubt."

Rep. David Leland (D-Columbus) asked what limitations are included to keep more "frivolous" transactions from occurring, referring to Rep. Smith's dishwasher example. In addition, the representative inquired about the goal of using criminal action to seek relief. Mr. Acton explained that as a civil matter, a property owner rarely collects from a settlement, even if a judgement is reached. As a criminal matter, property owners are more likely to receive restitution if the convicted tenant is under supervision, he said.

In response to Rep. Leland's inquiry about using credit checks as indicators, Mr. Acton said he uses credit history as a tool, but does not use it as an overall indication of the quality of a potential tenant.

Rep. Smith asked what the annual scope of intentional property damage is, and approximately how many tenants could be charged annually.

Mr. Acton said that he hopes to never have to use the law to bring charges against a tenant, and that including the language in lease and rental agreements will serve as a deterrent.

Rep. Ron Young (R-Leroy) asked if Mr. Acton expects the legislation will require more careful record keeping by property owners to be used in court. Mr. Acton replied that he does, because the burden of proof would be on the landlords. However, most landlords already have procedures in place to track the condition of their property, he added.

In response to Rep. Ingram's question, Mr. Acton said some landlords have seen intentional damage occur within a few weeks of the tenant's occupancy while some occurs after eviction.

Rep. Jonathan Dever (R-Cincinnati) said that the spirit of the bill works to provide avenues for redress for major damages where few currently exist.

Charles Tassell of the Greater Cincinnati Northern Kentucky Apartment Association also backed the bill.

Mr. Tassell said he is not aware of any successful criminal damaging cases for property owners in this situation. He explained that is difficult to get a prosecutor's attention for these types of issues.

"The impact will be to increase the deterrent, and thereby decrease the damage to property and the risk of investing in and fixing up rental properties," he said.

Mr. Tassell told Rep. Smith he would provide information about other states with similar legislation with the related impacts. In response to the representative's inquiry about the scope of the issue, Mr. Tassell replied that it is difficult to give a number because so few prosecutors take such cases. Yet, the impact is felt by the landlords who choose to save the expense of attorney fees and court filings and invest into repairing the property instead, he said.

Rep. Andy Brenner (R-Powell) asked Mr. Tassell if he thought a person who damaged or stole air conditioning units from a retail store should be prosecuted for doing so. Mr. Tassell said that he did.

Rep. Leland said that some of the language in the bill is vague and inquired about the condition that, if convicted, a former tenant would be disqualified from receiving assistance from a metropolitan housing authority. He asked if by including this condition the legislature would be creating a problem in the long run over relatively minor circumstances.

Mr. Tassell said that in his experience, there are only a few times a property owner will need to use this bill, but when such instances occur the relief is necessary.

Rep. Ingram asked if the accused will be considered "not guilty" until proven otherwise or "guilty" until proven otherwise. Mr. Tassell replied that the burden on the property owner to gain a conviction is large. He said that in his experience, at times culprits have "gloatingly" confessed to the damages.

Andrew Cali, an Ohio landlord, shared his experiences with negligent tenants and the intentional damage they caused. Mr. Cali said that more than anything, landlords need a deterrent for negligent behavior by tenants.

Rep. Ingram asked if the bill will require landlords to explicitly state the potential for criminal charges. Mr. Cali replied that as a landlord he would print the terms in bold letters.

HB 329 **PYRAMID SCHEMES (Pelanda, D.)** To modify the law governing pyramid promotional schemes. (**CONTINUED**; 2nd Hearing-Proponent)

Brian Bennett gave proponent testimony on behalf of the Direct Selling Association. Mr. Bennett said that the current law does not clearly differentiate between legitimate direct selling companies and pyramid schemes.

"The lack of a clear pyramid scheme law in statute may create confusion among the public, particularly when considering that some pyramid schemes masquerade as legitimate direct selling companies to defraud consumers. Specific language will strengthen state law enforcement's authority to prosecute bad actors," he said.

Michelle Roe, vice president and general counsel of the Columbus-based Thirty-One Gifts LLC, testified in support of the additional protections the bill would provide to consumers by clearly defining what constitutes a legitimate direct selling company.

The Council of State Governments and 10 states have adopted this legislation, Brian Harrison, manager of government affairs for Amway, said in testimony.

Rep. Catherine Ingram (D-Cincinnati) inquired about the notion of consumer protection and if the bill would create a barrier to entry for other companies. Mr. Harrison replied that the difference between legitimate and illegitimate direct sales companies is how the sellers receive compensation.

Subscribers Note: Full testimony is available on the committee [website](#) under Oct. 10.

Ways & Means

HB 177 **GYM MEMBERSHIPS (West, T., Young, R.)** To exempt memberships to gyms or other recreational facilities operated by charitable organizations from sales and use taxation. (**CONTINUED**; 2nd Hearing-Proponent)

Josh Little, chair of the Ohio Alliance of YMCAs, said the bill will return YMCAs and similar charitable organizations to being tax exempt in all aspects of their missions.

"A YMCA should not have to tax a member, such as a youth that comes after school to a safe place to participate in healthy activities - activities such as swimming, basketball, or playing chess in a teen room," he said. "Or a senior citizen who comes to the Y to participate in activities that help them stay healthy, active, and social."

He described the YMCA as a 501(c)(3) that in 2016 contributed over \$23 million in financial assistance, organized 29,000 volunteers who donated more than \$2.8 million worth of time. Carol Folkerth, executive director of the Jewish Community Center of Greater Columbus, testified that community centers like hers would likewise benefit.

"Because Jewish Community Centers are not a fitness club, but a community center, we'd ask to be treated as such," she said. "The ability to lower our membership price would make our programs more accessible to even more people."

Submitting written proponent testimony were representatives of Jewish community centers in New Albany, Cincinnati, Cleveland and northwest Columbus.

HB 61 **SALES TAX (Johnson, G., Kelly, B.)** To exempt from sales tax the sale of tampons and other feminine hygiene products associated with menstruation. (CONTINUED (See separate story); 2nd Hearing-Proponent)

HB 292 **OHIO RESIDENCY (Scherer, G.)** To modify the test for determining an individual's state of residence for income tax purposes. (CONTINUED; 2nd Hearing-Proponent)

Proponents pushed their case that the bill would "restore certainty" for taxpayers by addressing a lingering issue created by a 2015 Supreme Court ruling.

The court determined that even if an individual's circumstances falls under the "bright-line residency statute," common law domicile principles still apply and may rebut the statute's otherwise irrefutable presumption of non-Ohio residency, according to Kelvin Lawrence of the Ohio State Bar Association.

"House Bill 292 would restore certainty for these taxpayers," Mr. Lawrence said. "Restoring certainty for the bright-line statute will benefit taxpayers planning to retain connections with Ohio after leaving the state, as well as the Ohio tax commissioner who will have a more definitive framework to follow when determining residency for income tax purposes."

The aforementioned court ruling effectively turned the state's bright-line residency statute into a "fact-searching expedition," said Greg Saul, of the Ohio Society of CPAs.

Howie Beigelman, executive director of Ohio Jewish Communities, submitted written proponent testimony.

HB 334 **BUSINESS INCOME (Scherer, G.)** To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (CONTINUED; 2nd Hearing-Proponent)

Several businesses pressed the committee to support the bill, including a pair of witnesses from the National Association of Professional Employer Organizations.

They argued the Department of Taxation's current interpretation of tax law is inaccurate and penalizes businesses that utilize PEOs by depriving them of the small business deduction they were previously able to receive.

"Small business owners who use a PEO to ensure state and federal compliance, to offer competitive benefits to their employees and for other HR services, should not be penalized by denial or lack of access to the business income deduction," said Melissa Kelly, the group's director of state government affairs. "We do not believe that was the intent of the legislature when the enabling legislation was passed."

Stephen Hall, also representing the NAPEO, said PEOs play a critical role in supporting small businesses by providing human resources.

Among other witnesses was Crystal Faulkner of the Ohio Society of CPAs, who argued that it's critical the bill remain retroactive in nature back to 2013. That, she said, would enable those businesses that paid under the DOT's current interpretation of the law to be reimbursed.

She and others took issue with a Legislative Service Commission fiscal analysis that estimates the retroactivity provision could cost "potentially up to \$10 million." She argued that most of these businesses have already taken the deduction, hence the ongoing audits they're facing.

"Therefore, the retroactive provision in the bill should be no cost or only a minimal one," she said.

Overall, the LSC analysis estimated losses of up to \$1.9 million a year from the General Revenue Fund and up to \$0.1 million a year from local government and public library funds.

Subscribers Note: For full testimony see the [committee's website](#) under Oct. 10.

Economic Development, Commerce & Labor

HB 303 **SERVICE ANIMALS (Lipps, S., Kelly, B.)** To prohibit places of public accommodation from preventing the use of a service animal. (CONTINUED; 1st Hearing-Sponsor)

Rep. Brigid Kelly (D-Cincinnati) and **Rep. Scott Lipps** (R-Franklin) presented sponsor testimony on the measure that they said would clarify Ohio law in regard to service animals while providing consistency with federal law and compliance with the Americans with Disabilities Act.

Rep. Kelly said the Ohio Revised Code currently contains "dated language" and is "ambiguous in a number of ways regarding service animals and public accommodation," adding that state laws have not been updated to reflect more recent changes to the ADA. The changes were proposed by the National Federation of the Blind - Ohio, which pointed out that a key update would clarify the difference between "assistance animals" and "service animals."

That difference, she said, "can mean the difference between participating in an activity or getting lunch with a friend, or having to go home."

"This bill will clarify definitions regarding the prohibition of public places of accommodation from preventing the use of a service animal by any person with a disability," Rep. Kelly said.

"The removal of the service animal can in fact be requested if the animal is out of control and effective action is not taken to regain control or the animal is not housebroken. However, the

place of public accommodation shall give the disabled individual the option to remain without their service animal."

The bill would also increase the penalty for falsely claiming an animal is a service animal in a place of public accommodation - or prohibiting use of a service animal by an individual with a disability to a second-degree misdemeanor from a fourth-degree misdemeanor, she said.

"As members of the legislature, we have an obligation and a responsibility to make life better for the people in our communities, and this is a practical measure to enhance the daily life for disabled citizens in this state."

Rep. Lipps said that along with the language clarification, the bill "strengthens the right of the disabled to use service animals in places of public accommodation."

"While working on this bill, we heard stories from a compliance officer responsible for service animals in OSU's dormitories," he said. "He related to us stories about students on formal applications claiming all sorts of animals as service animals...parrots, lizards, tarantulas and more. This illustrates the need to properly define a service animal as an animal that actually provides a service such as leading the blind, alerting the deaf or protecting an epileptic."

The lawmaker said there are websites from which fake service animal documents can be purchased, thus making the clarifications in state law important.

Rep. Steven Arndt (R-Port Clinton) noted that the bill language includes dogs and miniature horses as service animals. The sponsors said those were the guidelines suggested by the blind federation, as the small horses can be trained for assistive tasks.

Rep. Al Landis (R-Dover) asked about the potential interaction with another bill heard by the committee Tuesday, which would generally allow restaurant owners to permit dogs in outdoor seating areas. Rep. Lipps acknowledged that the blind federation had noted several incidents in which true service animals were disrupted by other animals not as appropriately trained.

HB 263 **OUTDOOR DINING AREAS (Lanese, L.)** To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. (**CONTINUED**; 2nd Hearing-Proponent)

Several witnesses, including business owners and dog advocates, testified in support. Sharon Harvey, president and CEO of the Cleveland Animal Protective League, said events such as Yappy Hours and Pups on Patios have been growing in popularity over the past decade, and it wasn't until earlier this year that she and other animal advocates learned that the practice is currently not permitted in Ohio law.

"HB263 is needed to affirm the rights of restaurant owners to decide what is right for their business, and to acknowledge the role that pets play in families," she said. "HB263 would leave the decision of whether to allow dogs on restaurant or bar patios up to the owner of the establishment. Business owners should have the right to make this decision according to their unique fact patterns."

Through her organization, 6,000 animals were adopted and more than 2,500 fostered last year, Ms. Harvey said. "We are reminded every day that pet owners love their animals and truly view them as members of the family - and we want to do everything we can to

encourage families to spend time together. This bill celebrates the role that dogs play in the family by including them in fun outings."

Mary O'Connor-Shaver, representing Rescue Me Ohio, said several American tourist cities have adopted the practice of allowing dogs in restaurant patio areas.

"States such as California, Florida and Maryland, have been allowing dogs on restaurant patios for years. In Ohio, we have numerous hotels that provide accommodations for dogs, dog parks, dog drinking fountains, but there's nowhere for tourists to enjoy any kind of outdoor patio dining experience with their companion dog," she said.

"We are in full agreement with Representative Lanese's position that allowing dogs on restaurant and bar patios could benefit owners and our state's tourism industry," she said.

"When people are traveling across the state and would like to stop and eat, they only have the option of eating from a drive-through restaurant or leaving their dog in their vehicle while they dine, which RMO strongly believes to be dangerous for the companion pet under any circumstances."

"We believe Ohio House Bill 263 to be a reasonable and balanced piece of proposed legislation which would allow restaurants to permit entry of any dog if they do not pose a health or safety hazard while requiring the owner to remain liable for any damage or injury caused by their companion pet," Ms. O'Connor-Shaver added. "We believe it is important to note that the proposed legislation would also continue to protect the civil rights of qualified individuals and their service animals under the ADA.

Others backing the bill in person or through written testimony included representatives of Winks and Whiskers, Mac's Tavern, Animal Protection at Work, Wagtown, Inc., Rascal Animal Hospital, Human Society of the United States, Ohio Restaurant Association, Gervasi Vineyard, Seventh Son Brewing and Holland & Muirden.

Subscribers Note: Full testimony is available on the [committee website](#) under Oct. 10. **Criminal Justice**

HB 276 **UTILITY WORKERS (Rezabek, J., Greenspan, D.)** To expand the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility. (**CONTINUED**; 2nd Hearing-Proponent)

Jason Dorsey, manager of metering services for Dayton Power & Light, described several examples that he said show the need for the bill, including incidents in which workers have been assaulted or shot at. In one case, a customer threatened to shoot the employee and to kill everyone at a local DP&L service building if the customer's service was shut off for nonpayment.

"We ask for the committee's support for this very important legislation that will help protect our utility workers and create a safer environment to help us safely and efficiently deliver electricity to our area residents and businesses," Mr. Dorsey said.

Five other companies or groups submitted written proponent testimony, urging lawmakers to recognize the danger utility workers can encounter on the job. The groups agreed the bill sends a message to the public and to utility workers:

"It reinforces the message that the services we provide are critical and that our workers should be able to perform their jobs without threat or fear of verbal abuse or physical

violence," wrote AEP Ohio Vice President Selwyn Dias. "And it demonstrates to our workers that we value and applaud the tough work they do each day."

Others urging support included the Ohio Rural Water Association, the Coalition of Ohio Regional Districts, LE-AX Water District and Communications Workers of America.

HB 30 **PRISON TERMS (Koehler, K.)** To require an additional prison term of 3 to 8 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm and that the victim was under 6 years of age at the time of the offense. **(CONTINUED-SUBSTITUTE (No testimony); 3rd Hearing-Possible substitute)**

The committee adopted a substitute bill (**Comp Doc**) that requires an additional prison term of six years for an offender who is convicted of felonious assault and a specification charging the victim suffered permanent disabling harm and was less than six years old at the time of the offense. The prior version required an additional term of three to eight years for one convicted of a felony offense of violence with that specification.

Secondly, the substitute states that an offender convicted of the aforementioned specification must serve the mandatory prison term consecutively to and prior to any prison term imposed for the underlying felonious assault and allows any other prison term previously or subsequently imposed to be served concurrently with or consecutively to the mandatory prison term.

SB 33 **LAW ENFORCEMENT DATA (Eklund, J.)** To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case. **(CONTINUED-AMENDED (No testimony); 3rd Hearing-All testimony-Possible amendments)**

The committee adopted three amendments, including language that:

--Permits the court to offer intervention in lieu of conviction or continue intervention in lieu of conviction with additional terms, conditions and sanctions in the case of an offender who has failed to comply with terms of intervention.

--Enables Ohio State Highway Patrol officers who have completed the required training to administer oaths and acknowledged criminal and juvenile court complaints, summonses, affidavits and returns of court orders in matters related to their official duties.

--Expands the ability of OSHP officers to enforce criminal laws to include any facility operating under ORC Section 9.06, which pertains to private operation and management of initial intensive program prisons.

HB 137 **CHILD ABUSE REPORTING (Kent, B.)** To make municipal and county peace officers mandatory reporters of child abuse or neglect. **(REPORTED; 4th Hearing-All testimony-Possible vote)**

The committee reported the bill 11-0 after accepting written testimony from the Mike Weinman of the Fraternal Order of Police of Ohio.

"The FOP feels that HB 137 will enhance the relationship our members already have with our respective county children service agencies," Mr. Weinman wrote. "With HB 137, policies can

be established with our member's agencies and the children service agencies when an officer suspects abuse or neglect but doesn't have enough to support a criminal investigation. This should add to an important safety net for the children involved."

SB 1 **DRUG OFFENSES (LaRose, F.)** To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances. (CONTINUED (See separate story); 2nd Hearing-Proponent)

Subscribers Note: For full testimony see the committee's website under Oct. 10.
Education & Career Readiness

HB 98 **CAREER INFORMATION (Duffey, M., Boggs, K.)** Regarding the presentation of career information to students. (REPORTED (No testimony); 4th Hearing-All testimony-Possible vote)

HB 318 **SCHOOL RESOURCE OFFICERS (Patterson, J., LaTourette, S.)** To define the necessary qualifications and responsibilities of school resource officers. (CONTINUED; 1st Hearing-Sponsor)

The measure clarifies the role of school resource officers and the type of training they should receive, **Rep. Sarah LaTourette** (R-Chagrin Falls) said.

Currently, "while current law does allow school districts throughout Ohio to hire school resource officers, Ohio law lacks basic requirements for how SROs are trained and does not clearly identify even basic responsibilities," she said.

Under the bill, SROs must complete a training program approved by the Ohio Peace Officer Training Commission and enroll in an additional 40 hours of training that includes instruction on skills, tactics, and strategies, Rep. John Patterson (D-Jefferson) said.

The measure also allows SROs to carry firearms, make arrests and conduct searches or seizures of property.

"We all agree that safety is of the utmost importance for all of our citizens, but it is especially important that we take every possible step that we can to ensure the safety of our schools," Rep. Patterson said.

Rep. Kyle Koehler (R-Springfield) asked which requirements wouldn't pertain to existing SROs under a grandfather portion of the bill. None would apply, but most of the current officers have already undergone training, Rep. LaTourette said.

Rep. Patterson told Chairman **Rep. Andy Brenner** (R-Powell) said the Ohio School Resource Officers Association and its federal counterpart felt 40 hours of training would be the most appropriate.

HB 200 **SCHOOL CHOICE (Koehler, K.)** To eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program. (CONTINUED (See separate story); 6th Hearing-All testimony)

HB 338

SCHOOL BUS DRIVERS (Ginter, T.) Regarding medical examinations for school bus drivers. (CONTINUED; 1st Hearing-Sponsor)

Licensed chiropractors would be added to the list of qualified medical professionals who are qualified to perform annual physicals school bus drivers are required to complete under the bill. **Rep. Tim Ginter (R-Salem)** said

Physician assistants, nurse practitioners, nurse specialists, nurse-midwives, or any persons licensed under Chapter 4731 to practice medicine and surgery or Osteopathic medicine and surgery are currently permitted to administer the exams.


"Ultimately, this legislation would allow current and future school bus drivers more accessibility when scheduling their annual physicals," Rep. Ginter said. "Chiropractors are listed on the National Registry of Certified Medical Examiners established by the Federal Motor Carrier Safety Administration. This certification allows them the ability to perform physicals on truck drivers."

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Senate Activity for Tuesday, October 10, 2017

INTRODUCED

- SB 216** ■ **SCHOOL REGULATIONS (Huffman, M.)** To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs. Am. 3301.078, 3301.079, 3301.0711, 3301.0714, 3301.0715, 3301.163, 3301.52, 3302.03, 3302.13, 3310.03, 3311.80, 3313.413, 3313.608, 3314.35, 3319.075, 3319.081, 3319.088, 3319.111, 3319.112, 3319.22, 3321.191, 3323.022, 3333.0411, 3365.03, and 3365.07; to enact new section 3319.226 and sections 3301.68, 3319.361, 3324.12, and 3365.072; and to repeal sections 3319.114 and 3319.226
Gongwer Coverage

COMMITTEE HEARINGS

Insurance & Financial Institutions

- SB 169** ■ **TRAVEL INSURANCE (Wilson, S.)** To oversee the sale of travel insurance. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)
- HB 52** ■ **DEED SOLICITATION (Rezabek, J.)** To regulate the solicitation of certain deeds. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)
- HB 199** ■ **MORTGAGE LENDING (Blessing, L.)** To create the Ohio Residential Mortgage Lending Act for the purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)

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Daily Activity Planner for Wednesday, October 11

Legislative Committees

House Health (Committee Record) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

HB 172 **MEDICAL RECORDS** (Schuring, K.) To modify the laws governing access to a patient's medical records. (1st Hearing-Sponsor)

HB 332 **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (1st Hearing-Sponsor)

HB 273 **ADMITTING PRIVILEGES** (Gavarone, T.) To prohibit a physician from being required to secure a maintenance of certification as a condition of obtaining licensure, reimbursement, or employment or obtaining admitting privileges or surgical privileges at a hospital or health care facility. (2nd Hearing-Proponent & interested party)

HB 214 **ABORTION** (LaTourette, S., Merrin, D.) To prohibit a person from performing, inducing, or attempting to perform or induce an abortion on a pregnant woman who is seeking the abortion because an unborn child has or may have Down Syndrome. (3rd Hearing-Opponent & interested party)

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 118 **PROPERTY TAX COMPLAINTS** (Merrin, D.) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (3rd Hearing-All testimony-Possible vote)

SB 186 **BUSINESS INCOME** (Peterson, B.) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (4th Hearing-All testimony)

HB 69 **TIF DISTRICTS** (Cupp, R.) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district. (5th Hearing-All testimony-Possible amendments & vote)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 114, 9:30 a.m.

HB 341 **PUBLIC RECORDS** (Huffman, S., Cera, J.) To include judges as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet. (1st Hearing-Sponsor)

HB 312 **POLITICAL SUBDIVISION SPENDING** (Schuring, K., Greenspan, D.) Regarding use of credit cards and debit cards by political subdivisions. (2nd Hearing-Proponent-Possible substitute)

HB 342 **TAX LEVIES** (Merrin, D.) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. (1st Hearing-Sponsor)

HCR 10 **ANTI-SEMITISM** (Thompson, A., Greenspan, D.) To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. (2nd Hearing-Proponent)

House State & Local Government (Committee Record) (**Chr. Anielski, M., 644-6041**), Rm. 122, 9:30 a.m.

HB 279 **JOHN GLENN HOME** (Hill, B., Rosenberger, C.) To require the Ohio History Connection to designate John Glenn's childhood home as a state historic site. (2nd Hearing-Proponent)

HB 300 **IDENTIFICATION CARDS** (Barnes, J.) To provide that any nondriver identification card that is issued to a resident of Ohio who is permanently disabled must be issued without an expiration date. (2nd Hearing-Proponent)

HB 307 **MONTH DESIGNATION** (Gonzales, A.) To designate September as "We Card Month." (2nd Hearing-Proponent)

HB 315 **DAY DESIGNATION** (Arndt, S.) To designate October 6 as "S.M.A.R.T. Parent Day." (2nd Hearing-Proponent)

HB 319 **STATE PET** (Lanese, L.) To designate a shelter pet as Ohio's official pet. (2nd Hearing-Proponent)

SB 86 **DAY DESIGNATION** (Hackett, B.) To designate the twenty-fifth day of May as "Ohio National Missing Children's Day." (2nd Hearing-Proponent)

Senate Government Oversight & Reform (Committee Record) (**Chr. Coley, B., 466-8072**), Finance Hearing Rm., 9:45 a.m.

- Confirmation hearing on governor's appointments of Dennis Brommer and Catherine Cunningham, Ohio Elections Commission; Miriam Diabate, New African Immigrants Commission and Christopher Potts, Ohio Retirement Study Council

HB 31 **GOVERNMENT CONTRACTING** (Cupp, R.) To abolish the Government Contracting Advisory Council. (5th Hearing-All testimony-Possible amendments & vote)

SB 21 **ELECTION PROCEDURES** (Uecker, J.) To reduce the minimum number of precinct election officials in a precinct in which electronic pollbooks are used and to eliminate the requirement that a board of elections send a notice to a person's residence address when the board cancels the person's voter registration because it received a report of the person's death. (3rd Hearing-All testimony)

House Insurance (Committee Record) (**Chr. Brinkman, T., 644-6886**), Rm. 116, 10 a.m.

HB 269 **WORKERS COMPENSATION (Henne, M.)** To rename the entities who carry out workers' compensation functions in this state, to require the Administrator of Worker Safety and Rehabilitation to develop incentives for employers to participate in safety consultations and loss prevention programs to require an employee who is receiving temporary total disability compensation to comply with a return to work plan, and to make changes with respect to compensation for permanent total disability and death benefits. (2nd Hearing-Proponent)

HB 268 **WORKERS COMPENSATION (Henne, M.)** To make changes to the Workers' Compensation Law with respect to self-insuring employers. (2nd Hearing-Possible substitute)

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), South Hearing Rm., 10:15 a.m.

- **Confirmation hearing on governor's appointments of Todd Audet, P.E. and David Regula, Transportation Review Advisory Council; Diane Carnes, Ohio Real Estate Commission; George Dixon, III, Ohio Turnpike and Infrastructure Commission; Todd Poole, State Fire Council and Robert Larrimer, Ohio Architects Board**

HB 10 **CROWDFUNDING (Arndt, S.)** To permit intrastate equity crowdfunding under certain circumstances. (2nd Hearing-Proponent)

HB 195 **WHEELCHAIR TRANSPORTS (Ingram, C., Seitz, B.)** To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances. (2nd Hearing-Proponent)

SB 185 **ROAD NAMING (Terhar, L.)** To designate a portion of Interstate Route 75 in Hamilton County as the "Lance Corporal Christopher J. Dyer USMC, Lima Co, 3/25 Marines Memorial Highway." (1st Hearing-Sponsor)

SB 173 **ROAD NAMING (Hottinger, J.)** To designate a portion of U.S. Route 40 in the Village of Kirkersville as the "The Steven Eric Disario Memorial Highway." (1st Hearing-Sponsor)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

HB 66 **TENURED FACULTY (Young, R.)** To require permanently tenured state university or college faculty members to teach at least three credit hours of undergraduate courses per semester. (3rd Hearing-Opponent)

HB 240 **MONTH DESIGNATION (Barnes, J.)** To enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency. (2nd Hearing-Proponent)

HB 166 **WORKFORCE DEVELOPMENT (Reineke, B., Cupp, R.)** To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for

employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week. (6th Hearing-All testimony-Possible vote)

SB 3

WORKFORCE DEVELOPMENT (Beagle, B., Balderson, T.) To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week. (5th Hearing-All testimony-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (**Chr. Obhof, L., 466-7505**), **Majority Conf. Rm., 11 a.m.**

House Session (Committee Record) (**Chr. Rosenberger, C., 466-3357**), **House Chamber, 1:30 p.m.**

Senate Session (Committee Record) (**Chr. Obhof, L., 466-4900**), **Senate Chamber, 1:30 p.m.**

House Civil Justice (Committee Record) (**Chr. Butler, J., 644-6008**), **Rm. 121, 2:30 p.m. or after session**

HB 174

FRANKLIN COUNTY COURT (Hughes, J., Lanese, L.) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018. (3rd Hearing-All testimony-Possible amendments)

Senate Energy & Natural Resources (Committee Record) (**Chr. Balderson, T., 466-8076**), **Finance Hearing Rm., 2:30 p.m. or after session**

SCR 14

OIL MARKETS (Hoagland, F.) To urge the Congress of the United States and the President of the United States to take certain actions to counter manipulation of the oil market by the Organization of Petroleum Exporting Countries (OPEC). (2nd Hearing-All testimony)

SB 188

WIND TURBINE SETBACKS (Hite, C.) To revise wind turbine setback provisions for economically significant wind farms. (2nd Hearing-Proponent)

House Community & Family Advancement (Committee Record) (**Chr. Ginter, T., 466-8022**), **Rm. 114, 3 p.m.**

HB 340

PUBLIC ASSISTANCE (Young, R.) Regarding the release of information concerning public and medical assistance recipients. (1st Hearing-Sponsor)

SB 70

CHILD SUPPORT (Coley, B.) To amend the child support laws. (1st Hearing-Sponsor)

HB 119

SNAP (Henne, M., McColley, R.) Regarding eligibility and benefits under the Supplemental Nutrition Assistance program and the Medicaid program. (4th Hearing-All testimony-Possible substitute)

Senate Education (Committee Record) (**Chr. Lehner, P., 466-4538**), **South Hearing Rm., 3:15 p.m.**

- SB 197** **BULLYING** (Williams, S.) To require a tiered disciplinary procedure for harassment, intimidation, or bullying in school; to require annual student instruction about preventing such acts; and to create the offense of aggravated bullying as a third-degree misdemeanor. (1st Hearing-Sponsor)
- HB 170** **COMPUTER SCIENCE** (Carfagna, R., Duffey, M.) With regard to academic content standards and curriculum requirements for computer science; to revise educator qualifications regarding computer science; and to authorize public schools to establish computer science and technology funds. (3rd Hearing-All testimony)
- House Armed Services, Veterans Affairs & Homeland Security** (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 116, 4 p.m. or after session
- HB 254** **POW/MIA FLAG** (Wiggam, S.) To enact the POW/MIA Remembrance Act requiring the POW/MIA flag to be displayed at certain buildings operated by the state on Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans' Day. (2nd Hearing-Proponent-Possible amendments)
- SCR 8** **MISSILE DEFENSE** (O'Brien, S., Eklund, J.) A resolution to urge the United States Missile Defense Agency to select Camp Ravenna Joint Military Training Center in Ravenna, Ohio, as the preferred site for a future east coast Missile Defense system. (2nd Hearing-Proponent)

Agency Calendar

Veterinary Medical Licensing Board, 77 S. High St., Room 1914, Columbus, 8:30 a.m.
Real Estate Commission, 77 South High Street, 22nd Floor, Columbus, 9 a.m.
~~**Canceled: Southern Ohio Agricultural & Community Development Foundation, Ohio State University's South Centers, 1864 Shyville Road, Piketon, 9 a.m.**~~
~~**(Economic Development Regional Review Committee)**~~
State Medical Board, 3rd Fl., 30 E. Broad St., Columbus, 9:45 a.m. (Committee meetings start at 7:30 a.m.)
Infant Mortality Commission, 77 S. High St., 31st Floor Conference Room East B, Columbus, 10 a.m.
State Personnel Board of Review, 12th Fl., 65 E. State St., Columbus, 10 a.m.
Credit Union Council, 77 South High Street, 21st Floor, Columbus, 10:30 a.m.
Public Utilities Commission of Ohio, 180 E. Broad S., 11th Fl., Columbus, 1:30 p.m.
Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 3 p.m.

Event Planner

Rep. Thomas West (D-Canton) fundraiser, Dempsey's, 346 S. High St., Columbus, 8:30 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Team West)
Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)
Rep. Steve Huffman (R-Tipp City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Steve Huffman for State Rep)

Rep. Ron Young (R-Leroy Township) fundraiser, Athletic Club of Columbus - Parlor D, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Friends of Ron Young)

Sen. John Eklund (R-Chardon) fundraiser, Lexi's on Third, 100 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of John Eklund)

Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor: \$2,500, Host: \$1,000, Guest: \$500, Friend: \$350 to Committee to Elect Fred Strahorn)

Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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From: report@hannah.com
Sent: Tuesday, October 10, 2017 8:32 PM
To: DL_Hannah
Subject: Hannah News Stories for Tuesday, October 10, 2017

Tuesday, October 10, 2017

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- [Kasich Announces 'DriveOhio' Smart Mobility Center](#)
- [SERS Board Implements Three-Year COLA Suspension](#)
- [Large Number of Lobbyists, Agencies Fail to File Legislative/Executive Agent Reports with OLIG](#)
- [USEPA Moves to Repeal Clean Power Plan](#)
- [Ohio Casino Revenues Rise in September](#)
- [Alzheimer's Task Force Discusses Assisted Living, Elder Abuse](#)
- [Huffman Introduces Bill to Pull Back School Mandates](#)
- [Police 'Knock-and-Announce' Violations Do Not Bar Evidence Found with Search Warrant](#)
- [State Government Roundup: Obhof](#)
- [People in the News: John Campbell; Portman](#)
- [Ohio Digest: USEPA; OHA](#)
- [Ohio Attorney General Opinion](#)
- [Judicial Actions: Opinion](#)
- [Executive Actions: Appointments](#)

House Committee Reports

- [Criminal Justice](#)
- [Economic Development, Commerce and Labor](#)
- [Education and Career Readiness](#)
- [Financial Institutions, Housing and Urban Development](#)
- [Rules and Reference](#)
- [Ways and Means](#)

Senate Committee Reports

- [Insurance and Financial Institutions](#)

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614.227.5820 | www.hannah.com

randy.hoeh

From: randy.hoeh@gmail.com
Sent: Wednesday, October 11, 2017 4:09 PM
To: rep76@ohiohouse.gov
Subject: Please Oppose House Bill 298

Sarah LaTourette,

I am writing you today to ask that you oppose House Bill 298, legislation that will take away my right and the rights of many of your constituents to collectively bargain for a better life.

House Bill 298 takes language straight from Senate Bill 5 dealing with sick time and tries to pass it as a standalone. Senate Bill 5/ Issue 2 was soundly defeated in 2011 by Ohioans who believe that collective bargaining shouldn't be restricted by politicians in Columbus.

I am making sure that your constituents know the truth- that this is just the first step in trying to limit what we can collectively bargain for. Today, it's about sick time; tomorrow it's about how we collectively bargain over pay, safety in the workplace and the how we grieve unfair working conditions. Please help me fight back against attempts to silence my voice at the workplace by opposing House Bill 298.

We didn't send you to Columbus to limit our voice at the workplace. We elected you to stand up and speak for us, create good jobs in your district and raise everyone's wages. Please tell Representative Merrin that you are not interested in making it harder for your constituents to collectively bargain for a better life and that you are opposed to House Bill 298.

Thank you for your consideration in this matter. I look forward to hearing your position on this terrible legislation. Have a great day.

Dr. Walter R. Hoeh
randy.hoeh@gmail.com
8325 Sharp Lane
Chesterland, Ohio 44026

mike1mike2

From: mike1mike2@roadrunner.com
Sent: Wednesday, October 11, 2017 4:13 PM
To: rep76@ohiohouse.gov
Subject: Please Oppose House Bill 298

Sarah LaTourette,

Dear Sarah LaTourette,

I am writing you today to ask that you oppose House Bill 298, legislation that will take away my right and the rights of many of your constituents to collectively bargain for a better life.

House Bill 298 takes language straight from Senate Bill 5 dealing with sick time and tries to pass it as a standalone. Senate Bill 5/ Issue 2 was soundly defeated in 2011 by Ohioans who believe that collective bargaining shouldn't be restricted by politicians in Columbus.

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We didn't send you to Columbus to limit our voice at the workplace. We elected you to stand up and speak for us, create good jobs in your district and raise everyone's wages. Please tell Representative Merrin that you are not interested in making it harder for your constituents to collectively bargain for a better life and that you are opposed to House Bill 298.

Thank you for your consideration in this matter. I look forward to hearing your position on this terrible legislation.

Have a great day.

Mike Morell

City of Twinsburg - Service Dept.

MICHAEL MORELL

mike1mike2@roadrunner.com
8936 RIVERSIDE LANE
BAINBRIDGE, Ohio 44023

From: sourcemgr@aol.com
Sent: Thursday, October 12, 2017 2:50 PM
To: Rep76
Subject: Utilites and Taxes

First Name : Dale F.

Last Name : Stover

Address : 8262 Music Street

City : Chagrin Falls

State : OH

Zip : 44022-3851

Phone : 440.338.5739

Email : sourcemgr@aol.com

Subject :
Utilites and Taxes

Message :

I have spent recent weeks looking at the tax levies that confront me November 7. My greatest fear is not North Korea, but my local, state and federal agencies. I have spent much of my time during the last 17 years looking at various government programs and actions by various agencies. What I have learned is quite appalling.

Actions taken by the State since SB 5 was overturned by unions and their friends has caused me to lose confidence in our Republican legislators. The constant drum beat to eliminate abortion will eventually cause the demise of the Republican Party. Those in Columbus clearly have not studied the costs, the factual history or the impossibility of stopping all abortions.

I have not studied the immediate utility issue in any detail. From memory, I assume it is in regard to a ~\$15/month fee to prop-up electric producers. The choice program drives up costs, Nopec is little more than an annoyance, light bulb giveaway, refrig disposals, local idiots installing solar street lights, energy saving programs and now bailouts for electric producers. This mix of offsetting and competing programs is insane.

Now consumers pay if they have a utility account where they consume product or not. Will we soon pay the gasoline station a monthly fee if we only occasionally consume a gallon of gasoline? It is a nearing reality.

If a government agency touches a commodity or service such as garbage disposal, natural gas, electric power, auto insurance, etc; consumer understanding of cost increases is no longer a consideration by the supplier. A checkered flag waved by an agency gives the supplier freedom from addressing

consumer concerns.

In 2017, local real estate tax increases unexpectedly took the equivalent of 10 weeks of my groceries budget. Auto and home insurance increases took the equivalent of another 4 weeks of groceries.

Local tax levies, if passed November 7, will extract the equivalent of 6 weeks of groceries.

From: Aurora Chamber of Commerce
Sent: Friday, October 13, 2017 11:13 AM
To: Price, Ciara
Subject: Join US! October 3Chamber Networking Luncheon - Crisis Management & Communications

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JOIN US!

2017 October 3Chamber Networking Luncheon - Crisis Management & Communications



Topic: Crisis Management & Communications
Speaker: Stephanie York, Hennes Communications

This fast-paced talk by crisis communications and media specialist Stephanie York, will focus on a highly-strategic approach to communicating during a wide variety of situations, offering methods for establishing and maintaining "control of the message," enabling you to move your message forward or mount a defense against a sudden press onslaught.

Accident • Accusation of fiscal mismanagement • Active shooter

• Data theft/loss • Death of a key executive • Embezzlement • Employee fraud • Explosion • Food-borne illness • OSHA citation • Ex-employee attacking on Facebook • Reputational challenges • Sexual misconduct • Unfair labor practices • Workplace violence • The PD is on line 3 looking for comment.....

Especially in today's world of immediate information, when reporters won't wait long for you to return that call before posting the story online and where virtually everyone is a "journalist" armed with a camera and able to reach thousands of people with one simple Facebook message, managing all communications amid a crisis is a necessary skill set for business leaders.

Wednesday, October 25, 11:30 a.m. - 1:00 p.m.

*Bertram Inn & Conference Center
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*\$25 Chamber Members & guests; \$35 Non-members
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From: Roger Beckett

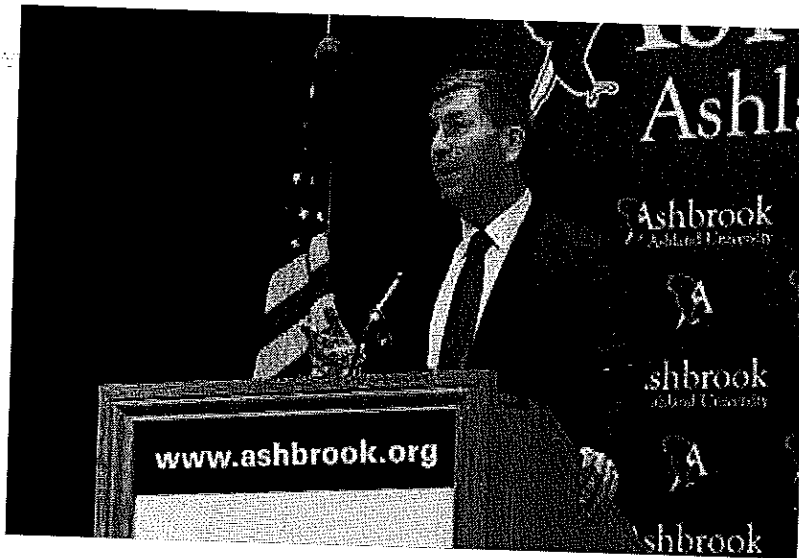
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To: Rep76

Subject: Reflecting on the Constitution: Today and Every Day

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"We can surely all agree that the Constitution itself means far more to our nation than a single holiday could ever reflect"

Wise words from Acting Assistant Attorney General Chad Readler's Constitution Day remarks at the Ashbrook Center on September 15th. In that spirit, I invite you to watch his full speech, which is now available online at CSPAN.org.

Warmest Regards,

Roger Beckett
Executive Director

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[Ashbrook Center](#)
401 College Avenue, Ashland, OH 44805

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**News
Bill Tracking
Legislation**

NEWS

Ohio governor says Trump health care move will hurt people (Associated Press, 10/16/2017)

UAW backs Sen. Brown after some unions left Dems in 2016 (Associated Press, 10/16/2017)

Jim Renacci worked with pro-Trump group on website attacking Jon Husted (Cleveland Plain Dealer, 10/16/2017)

Schools add "social and emotional" skills to reading, writing, arithmetic (Cleveland Plain Dealer, 10/16/2017)

What Trump's decision to Obamacare means for you, insurers and Congress (Cleveland Plain Dealer, 10/16/2017)

20 years after welfare reform, are Ohio's poor any better off? (Columbus Dispatch, 10/16/2017)

Bill seeks changes in Ohio testing, teacher evals, school mandates (Columbus Dispatch, 10/16/2017)

If tech gadgets are required, should Ohio schools charge fees? (Columbus Dispatch, 10/16/2017)

Kasich assails both Democrats and Trump on Obamacare (Columbus Dispatch, 10/16/2017)

Little has happened in 2 months since Trump declared opioid crisis an emergency (Columbus Dispatch, 10/16/2017)

Sherrod Brown gets UAW nod in re-election bid (Columbus Dispatch, 10/16/2017)

The mercurial man behind state Issue 2 (Columbus Dispatch, 10/16/2017)

Kasich criticizes President Trump actions on health care as 'outrageous' (Dayton Daily News, 10/16/2017)

Ohio may allow you to set off fireworks any time of day (Dayton Daily News, 10/16/2017)

Ohio may deny benefits to undocumented workers hurt on the job (Dayton Daily News, 10/16/2017)

What Ohio lawmakers are saying about the Iran nuclear deal (Dayton Daily News, 10/16/2017)

Victims' rights ballot issue could hike costs for counties, courts (Toledo Blade, 10/16/2017)

EDITORIALS

**Beacon Journal editorial board: Why the Clean Power Plan matters
(Akron Beacon Journal, 10/16/2017)**

**Ohio Supreme Court races absolutely matter, even if voters often skip
them: Thomas Suddes (Cleveland Plain Dealer, 10/16/2017)**

**Will politicians provide clarity on Issue 2? Probably not. (Cleveland Plain
Dealer, 10/16/2017)**

**Editorial: Way to kick 'em while they're down (Columbus Dispatch,
10/16/2017)**

**Should Ohioans support the Drug Price Relief Act? No (Columbus
Dispatch, 10/16/2017)**

Against court supremacy (Toledo Blade, 10/16/2017)

Ohio farmers cannot do it alone (Toledo Blade, 10/16/2017)

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rogerlbeckett

From: rogerlbeckett@ashbrook.org
Sent: Monday, January 4, 2016 8:46 AM
To: Rep76@ohiohouse.gov
Subject: Ashbrook to host Fox & Friends Co-host Brian Kilmeade in Mansfield



Brian Kilmeade

Co-Host of *Fox & Friends*

Friday, January 22, 2016 at 7:30 PM

Mansfield's Renaissance Theatre



Greetings,

I would like to bring your attention to a special event being held on Friday, January 22 in Mansfield.

You are invited to join the Ashbrook Center as we host best-selling author **Brian Kilmeade**. Kilmeade is well known as co-host of the popular *Fox & Friends* news program and host of the nationally syndicated radio program, *Kilmeade and Friends*.

Kilmeade will provide an in-depth look at his new book, *THOMAS JEFFERSON AND THE TRIPOLI PIRATES*. He will discuss Jefferson, pirates and national security.

Tickets for general seating in the Renaissance Theatre are available for \$20 each. A book signing will follow.

Kilmeade's book, co-authored by Don Yaeger, was released in November and has already hit #2 on the *New York Times* Best Sellers list. He has written three additional books, two of which are also *New York Times* best sellers, *"The Games Do Count"*, *"It's How You Play the Game"*, and *"George Washington's Secret Six"*, also co-written with Don Yaeger.

This event is the first *Peter W. Schramm Memorial Lecture* and is being graciously

sponsored by Samuel H. and Maria Miller and co-sponsored by WMAN Radio. Additional opportunities to co-sponsor the event are available and include a limited number of reserved seat tickets for dinner with Kilmeade before the evening's keynote address.

The event is being held at the Mansfield Renaissance Theatre located at 138 Park Avenue West in Mansfield, Oh 44902.

To purchase tickets or obtain additional information about sponsorship opportunities, visit ashbrook.org/events/kilmeade or contact Jennifer Nixon at the Ashbrook Center at 877-289-5411 or jnixon@ashbrook.org.

I hope to see you there.

Warmest regards,

Roger L. Beckett
Executive Director

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[Ashbrook Center](#)
401 College Avenue, Ashland, OH 44805

rogerlbeckett

From: rogerlbeckett@ashbrook.org
Sent: Friday, January 8, 2016 12:51 PM
To: Rep76@ohiohouse.gov
Subject: Your Invitation to an Evening with Brian Kilmeade



Brian Kilmeade

Co-Host of *Fox & Friends*

Friday, January 22, 2016 at 7:30 PM

Location: Mansfield's Renaissance Theatre



Good afternoon,

I hope you will join the Ashbrook Center for a special event in Mansfield, Ohio as we host best-selling author **Brian Kilmeade**. Kilmeade is well known as co-host of the popular *Fox & Friends* news program and host of the nationally syndicated radio program, *Kilmeade and Friends*.

Kilmeade will provide an in-depth look at his new book, *THOMAS JEFFERSON AND THE TRIPOLI PIRATES*. He will discuss Jefferson, pirates, and national security.

Tickets for general seating in the Renaissance Theatre are available for \$20 each. A book signing will follow.

Kilmeade's book, co-authored by Don Yaeger, was released in November and has already hit #2 on the *New York Times* Best Sellers list. He has written three additional books, two of which are also *New York Times* Best Sellers, *"The Games Do Count"*, *"It's How You Play the Game"*, and *"George Washington's Secret Six"*, also co-written with Don Yaeger.

This event is the first *Peter W. Schramm Memorial Lecture* and is being graciously sponsored by Samuel H. and Maria Miller and co-sponsored by **WMAN Radio**. Additional opportunities to co-sponsor the event are available and include a limited number of

reserved seat tickets for dinner with Kilmeade before the evening's keynote address.

The event is being held at the Mansfield Renaissance Theatre located at 138 Park Avenue West in Mansfield, Oh 44902.

To purchase tickets or obtain additional information about sponsorship opportunities, visit ashbrook.org/events/kilmeade or contact Jennifer Nixon at the Ashbrook Center at 877-289-5411 or jnixon@ashbrook.org.

I hope to see you there.

Best regards,
Roger L. Beckett
Executive Director

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[Ashbrook Center](#)
401 College Avenue, Ashland, OH 44805

info

From: info@buckeyeinstitute.org
Sent: Monday, January 11, 2016 9:55 AM
To: rep76@ohiohouse.gov
Subject: Buckeye joins Rebecca Friedrichs at U.S. Supreme Court this morning

This e-mail is best viewed with images.

Buckeye Institute News Alert

Contact: Dennis Cauchon
(614) 224-4422 or Dennis@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE
January 11, 2016

The Buckeye Institute Fights for 318,000+ Ohio Workers Today in U.S. Supreme Court Case

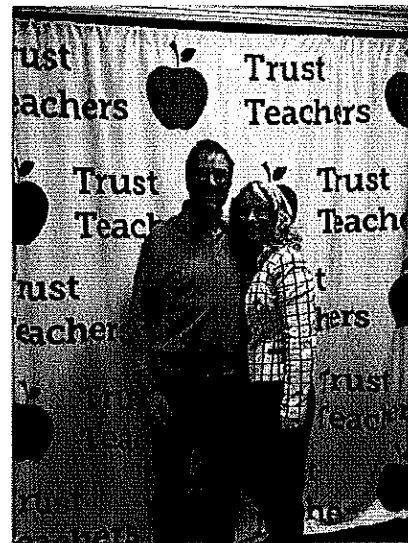
***Friedrichs v. CTA* Decision Could Give Workers' Voice and Choice**

COLUMBUS, OHIO--The Buckeye Institute filed an amicus brief in September that is being heard today at the U.S. Supreme Court. This landmark case would protect the 1st Amendment rights of government workers nationwide by ending the requirement that they pay for inherently political speech by unions to which they may object.

The Supreme Court is hearing oral arguments this morning in *Friedrichs v. California Teachers Association*, wherein the protection of 1st Amendment rights of California teacher Rebecca Friedrichs and nine other teachers are at stake. Rebecca Friedrichs has gone to court in order to be

able to stop paying fees that unions now forcibly collect from non-members. If the justices rule in favor of Friedrichs, public-sector unions will still be able to collect dues from union members, but non-members will no longer be required to subsidize union activities. In Ohio alone, more than 318,000 state and local employees are covered by public-sector unions, reports the Bureau of Labor Statistics.

The Buckeye Institute's President and CEO Robert Alt is at the U.S. Supreme Court this morning where he will address the media on the steps of the highest court in the land. He said, "Rebecca Friedrichs is fighting to have a voice and a choice--fighting for her 1st Amendment rights to be recognized by the highest court in the land. She, along with all teachers and other public servants across this country, has been told for too long that she must pay union fees to support inherently political speech by the union--or else be fired. It is well past time that we respect the 1st Amendment rights of all workers."



**Buckeye President & CEO
Robert Alt with plaintiff
Rebecca Friedrichs**

###

BACKGROUND: The Buckeye Institute was founded in 1989 as an independent research and educational institution--a think tank--to formulate and promote free-market solutions for Ohio's most pressing public policy problems.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations who share a commitment to free enterprise, individual liberty, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.

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To: rep76@ohiohouse.gov
Subject: Buckeye President & CEO Robert Alt Speaks about Friedrichs on U.S. Supreme Court Steps

Buckeye Institute News Alert

Moments ago, Buckeye President & CEO Robert Alt finished his speech on the steps of the U.S. Supreme Court where he addressed the media and explained that "Today's case is about securing the First Amendment rights for all public employees. It is about not being forced to pay for political speech with which you disagree. And, make no mistake, collective bargaining speech for public sector unions is political speech. For example, in Ohio, the unions negotiated to decide layoff decisions by a coin flip, instead of merit, which is of course blatantly unfair to good teachers and to their students." Alt noted that the Justices heard oral arguments outlining why forcing Rebecca Friedrichs to pay the unions is inherently political speech, and why it violates her 1st Amendment rights. We should expect the Justices to announce their decision on the case in June.

Alt posted several pieces on National Review's Bench Memos over the past week about the Friedrichs case, many of which were picked up by SCOTUSblog as well:

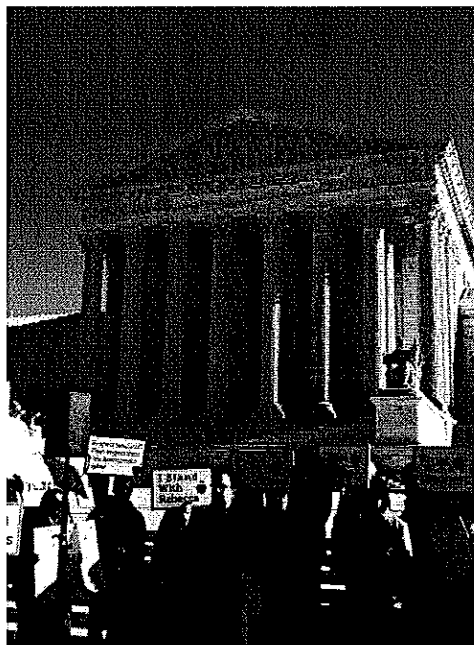
[Professor Epstein to SCOTUS: Set the Workers Free](#)

[A Response to Justice Kagan: Ending Agency Fees Won't End Unions \(Part 1\)](#)

[A Response to Justice Kagan: Ending Agency Fees Won't End Unions \(Part 2\)](#)

[Not Inexorable: Why Stare Decisis Doesn't Require Adherence to Abod](#)

[The Money Behind the Friedrichs Case](#)



**Robert Alt Speaks about Friedrichs
on U.S. Supreme Court Steps**

Why Friedrichs Matters

#

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GONGWER Ohio
The Record of Capitol Square Since 1906

Ohio News & Opinion For January 12, 2016

News

Ohio bill provides confidential address for violence victims (Associated Press, 1/12/2016)

Ohio panel reviewing bill allowing online voter registration (Associated Press, 1/12/2016)

By the numbers, how Ohioans have fared under Obama (Cincinnati Enquirer, 1/12/2016)

John Kasich, with new momentum, qualifies for debate (Cincinnati Enquirer, 1/12/2016)

Ohio conservatives back Cruz, not Kasich (Cincinnati Enquirer, 1/12/2016)

John Kasich flip-flopped on guns. So why are his allies blasting Chris Christie for doing the same? (Cleveland Plain Dealer, 1/12/2016)

John Kasich stuck in establishment lane traffic jam in New Hampshire: Ohio Politics Roundup (Cleveland Plain Dealer, 1/12/2016)

John Kasich's polling bounce keeps him on the prime-time debate stage: Ohio Politics Roundup (Cleveland Plain Dealer, 1/12/2016)

Ohio concealed-carry licenses will soon be invalid in Virginia (Cleveland Plain Dealer, 1/12/2016)

Ohio Republican Party is fined for failing to disclose financial transactions (Cleveland Plain Dealer, 1/12/2016)

U.S. Supreme Court case could curb public unions' power: 3 things you should know (Cleveland Plain Dealer, 1/12/2016)

Court ruling might cause overhaul of Ohio's licensing boards (Columbus Dispatch, 1/12/2016)

DeWine says he supports CDC recommendations on pain pills (Columbus Dispatch, 1/12/2016)

Ohio Supreme Court asked to send drug-price issue to lawmakers (Columbus Dispatch, 1/12/2016)

Unemployment benefits changes would 'dismantle' anti-poverty program, advocates say (Columbus Dispatch, 1/12/2016)

Expert: Brokered GOP convention more likely in '16 than in a long time (Dayton Daily News, 1/12/2016)

Kasich makes cut for debate; Paul, Fiorina are out (Dayton Daily News, 1/12/2016)

Ohio's Kasich takes presidential campaign to Nevada (Dayton Daily News, 1/12/2016)

Kasich to stay on the main debate stage (Toledo Blade, 1/12/2016)

Lawmakers to resume hearings on jobless bill (Toledo Blade, 1/12/2016)

Ohio officials back painkiller guide (Toledo Blade, 1/12/2016)

Ohio's Lt. Gov. Taylor to attend auto show as Kasich campaigns (Toledo Blade, 1/12/2016)

Survey gauges Ohio nursing-home emergency prep (Youngstown Vindicator, 1/12/2016)

Editorials

John Kasich, lost in the narrative (Akron Beacon Journal, 1/12/2016)

Rick Holmes: Governor succeeds politically by minimizing politics (Canton Repository, 1/12/2016)

Ohio Supreme Court should insist on truthful plea agreements: editorial (Cleveland Plain Dealer, 1/12/2016)

Fighting contamination (Columbus Dispatch, 1/12/2016)

Celebration and caution (Toledo Blade, 1/12/2016)

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From: news@edreform.com
Sent: Tuesday, January 12, 2016 6:58 PM
To: rep76@ohiohouse.gov
Subject: EdReform Newswire

Randi's Rants, Still Standing with Rebecca, SOTU, Quality Counts & more in this week's EdReform Newswire!

No images? [Click here](#)

newswire©

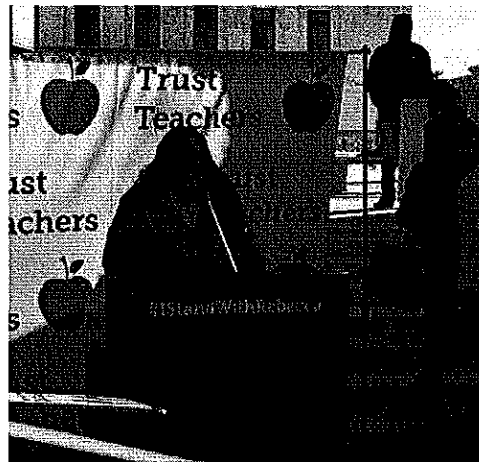
Vol. 18, No. 2
January 12, 2016

A weekly report on education news and commentary you won't find anywhere else, spiced with a dash of irreverence, from the nation's leading voice in school reform.

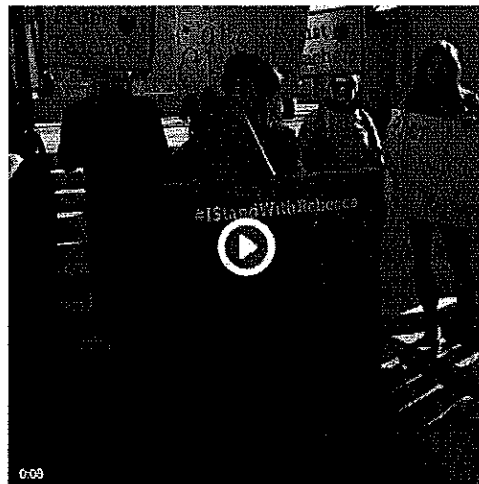
RANDI S RANTS. AFT President Randi Weingarten is having a rough few days. After grumbling over how the feds are handling opt outs under the new ESSA, she now has to read headlines about how the Supreme Court Justices could be siding with veteran teacher Rebecca Friedrichs, who believes it's against her First Amendment right to be forced to pay dues to organization she chooses not to belong to. Yesterday, we stood in the crowd among Friedrichs supporters alongside paid protestors who didn't really why they were there, other than they were just told to show up. Once we started mingling with the Union ralliers, it was clear that some of them actually stood for some of the very issues that were at the core of Team #Friedrichs!

#ISTANDWITHREBECCA. We continue to stand with Rebecca and her brave colleagues until the Court reaches a decision expected late June 2016. A few of MANY highlights from those who publicly spoke in support of the cause for teachers' rights:

If we trust our teachers to educate our children, we should trust them to choose about their union Julie Collier, Founder, Executive Director, Parents Advocate League and CER Grassroots Advisory Board Member



Great education is about great educators, and great educators need freedom. You cannot drown out the rights of teachers in this country! Jeanne Allen, CER Founder and President Emeritus

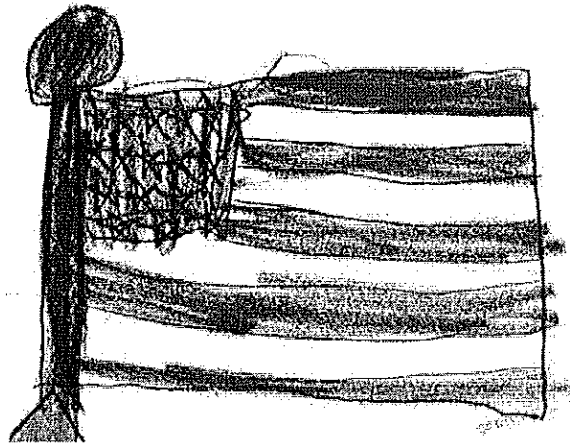


Thanks to the State Policy Network for their great work on organizing support for Rebecca and teachers nationwide, and to organizations like AAE who offer alternatives to educators.

Watch the Live Google Hangout following yesterday's oral arguments, and check out pics from the event. Regardless of the outcome, the High Court taking on the issue of teacher freedom is already a win because it exposes the public to the power of collective bargaining.

QUALITY COUNTS. While still big on inputs and spending to rank states (giving New York inflated scores over Florida despite achievement gains of the latter over the former) *Education Week's* Quality Counts is a welcome informative tool in the area of student achievement. If you break out the results from the inputs, the story of American education progress is clear states are innovators and have created and sustained structures that challenge the status quo do better with students who are behind and improve schooling for all as a result. A few key takeaways for reformers here.

#SOTU. Tonight, President Obama will establish what his legacy will mean in the State of the Union address, and no doubt present the case for work that remains outstanding. With the Race to the Top initiative and Student Success Act behind us, we suspect that our President will largely ignore the importance of the *real* unfinished business of education.



And so we offer a wish list to reflect the philosophies of those who work on the ground daily to advance innovation, freedom, and flexibility in American education, complete with suggested guest appearances for the First Lady's box.

NEW JUSTICE IN TOWN. Great news in Arizona, where edreform-minded Gov. Doug Ducey has appointed school choice champion Clint Bolick to the state's highest court. Bolick is co-founder of the Institute for Justice, an institution that's become a mainstay in helping school choice programs fight court battles brought on by the BLOB. He was a lawyer in one of the most important U.S. Supreme Court decisions in education since *Brown v. Board*, the famous Zelman v. Simmons-Harris case, which ruled Ohio's voucher program constitutional.

EDU GOES SOUTH. Not really, (well, that is, unless our leaders choose to ignore mandates for change and principles surrounding innovation and opportunity that provide bold agendas for what it truly takes to improve education in this country), but just in a matter of speech, thanks to the Jack Kemp Foundation's Kemp Forum on Expanding Opportunity in South this weekend. Many of the presidential hopefuls and leaders in attendance talked about the link between poverty and education, and how expanding opportunity by way of #edreform is key. A quick social media recap here.

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ABOUT CER: The Center for Education Reform (CER), since 1993, aggressively pursues laws that demand flexibility, freedom and innovation, without delay. Visit

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From: nmakla@heartland.org
Sent: Thursday, January 14, 2016 2:03 PM
To: rep76@ohiohouse.gov
Subject: The Leaflet - The Top Issues Facing States in 2016

The Top Issues Facing States in 2016

In November 2015, The Heartland Institute published *Ten State Solutions to Emerging Issues*, an informative and concise booklet examining 10 of the most useful public policy solutions to important issues facing states in 2016. The solutions identified are proven reform ideas that have gained significant momentum among the states and with legislators in recent years. Highlighted below are some of the key takeaways for each policy area.

Budget and Tax Solutions. Oklahoma and Utah have addressed pension reform in a sustainable way, at a time when most state pension systems across the country are diverting money away from essential government services and creating pressure for tax increases. Arizona, Kansas, and Missouri, among other states, passed welfare reforms in 2015 that aim to move people from government dependency to self-sufficiency, and many other states are expected to do the same in 2016.

Education Reform Solutions. Students in the United States perform poorly compared to their counterparts in other countries, even though per-pupil spending in America is far higher. Many states have responded by expanding school choice through increased access to charter schools, vouchers, education savings accounts (ESAs), parent trigger programs, and tax credits. For example, Nevada's new ESA program may serve as a model for other states. In addition, some states are fighting back against Common Core State Standards and Common Core-related testing mandates.

Energy and Environment Solutions. The debate over environmental protections has shifted as energy production in the United States has increased over the past decade. This is due to several factors, including the development of effective horizontal drilling techniques and the rise of hydraulic fracturing, commonly called fracking, and because concerns related to global warming have diminished. Kansas, North Carolina, Ohio, and West Virginia have taken steps to roll back their renewable energy portfolio mandates. Additionally, states are warming up to the safety and benefits of fracking and are beginning to recognize how costly and ineffectual many climate change regulations have been.

Health Care Solutions. Indiana and Pennsylvania, among other states, are considering reform of their certificate of need laws, which restrict competition among health care providers and drive up costs. Twenty-four states have opted not to expand Medicaid under the Affordable Care Act,

seeking instead to fix some of the problems that have plagued the program for years.

Constitutional Solutions. State elected officials are increasingly concerned by the national government's lack of fiscal discipline. Many are considering the use of Article V of the U.S. Constitution to restore the role of the states and to prevent burdening future generations with ever-greater government debt. Six states passed seven Article V resolutions or bills in 2015, and all 50 states either saw bills introduced or recently adopted Article V resolutions.

The Heartland Institute is happy to provide free copies of *Ten State Solutions to Emerging Issues*, send an expert to your state to testify or brief your caucus, help organize an event, or provide additional research on these issues. If you have any questions or comments, please contact State Government Relations Manager Nathan Makla at nmakla@heartland.org or call 312/377-4000.

Budget & Tax

Research & Commentary: Should Alaska Reestablish an Income Tax?

The fall of global oil prices has led to a \$3.5 billion deficit for Alaska's upcoming budget. According to *U.S. News & World Report*, Alaska has been using savings to balance its budget at an estimated rate of \$10 million a day. In order to close the deficit, Gov. Bill Walker (I) has introduced a budget plan that implements a series of tax hikes, including a reestablishment of the state's personal income tax, tobacco and alcohol excise tax hikes, and several business tax hikes.

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans argues Alaska should avoid reestablishing the income tax and preserve the state's economic competitiveness by leaving more money in the pockets of the state's citizens and businesses to spend, save, and invest. Instead of tax increases, the state should look to limit the rate at which budget spending increases moving forward. [Read more](#)

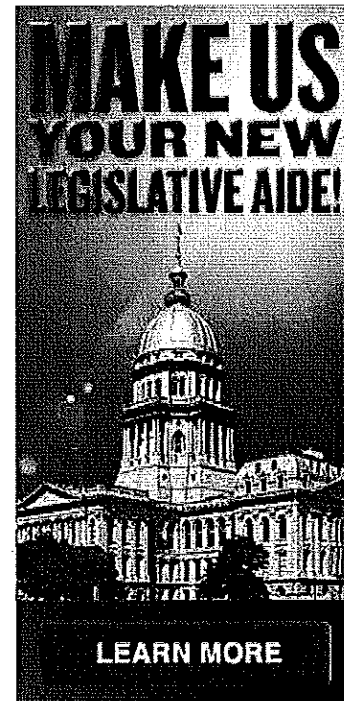
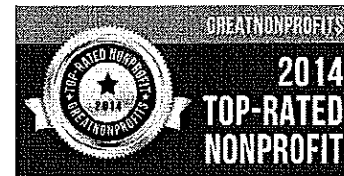
Education

New York State Superintendent Imposes Collective Bargaining Changes in Buffalo

Tom Gantert, senior capitol correspondent for *Michigan Capital Confidential*, covers in this *Heartlander* article a recent decision by New York State Education Commissioner MaryEllen Elia to impose a superintendent's proposed revisions to a collective bargaining contract, despite objections from the teachers union on the other side of the table. The ruling was handed down on November 9. Gantert reports the changes apply only to the five worst-performing schools in the City of Buffalo. The Buffalo City School District has 57 schools. [Read more](#)

Energy & Environment

Hundreds of Democrats Challenge President's Climate Policies



coalition composed of hundreds of Democratic Party officials and state and local officeholders from 32 states sent a letter to President Barack Obama outlining their objections to his climate change policies. H. Sterling Burnett, managing editor of *Environment & Climate News*, notes the letter takes aim at the centerpiece of Obama's climate change agenda, the Clean Plan. The coalition, referring to itself as CoalBlue, says it has serious and overriding concerns about the Environmental Protection Agency's (EPA) new emissions rules for power. The letter, which was signed by 177 state legislators, 278 local elected officials, and 148 Democratic Party officials, argues an energy policy focused on clean is not enough. Energy must also be affordable and reliable, the letter states. [Read more](#)

Health Care

Attempts to Roll Back CON Laws Underway in Virginia

Virginia is one of 36 states that have certificate of need (CON) laws. CON laws are intended to slow the growth of health care prices, promote consolidation of health care providers, and limit the duplication of services. In this *Consumer Power Report* article, Heartland Editor Justin Haskins examines eight legislative reforms designed to scale back some of the state's CON laws that are being advocated by three Virginia state delegates in the General Assembly. Few Americans know the substantial and detrimental effects certificate of need laws have on the quality of health care in the 36 states that have chosen to enact them. These laws not only reduce access to quality care, they place a substantial degree of power to make important health care decisions in the hands of government bureaucrats, ignoring the professional opinions of highly educated doctors and other medical experts. [Read more](#)

Technology

Report: IRS Spending Millions on Redundant Tech Systems

Andrea Dillon writes in this *Heartlander* article about a recent report from the U.S. Department of the Treasury which found the Internal Revenue Service (IRS) is spending millions of taxpayer dollars on needlessly redundant information technology systems used to verify tax data. The Treasury Inspector for Tax Administration report says the IRS' inability to decide between two report verification systems, the obsolete Electronic Fraud Detection System and the newer Return Review System, costs taxpayers about \$1.5 million every month. [Read more](#)

From Our Free-Market Friends

Mercatus Center Study: State Certificate-of-Need (CON) Health Care Laws Limit Patient Access

In a recent Mercatus Center study, George Mason University professor Thomas Stratmann and Ph.D. student Matthew Baker examine state data on MRI, CT, and PET scans, three critical services restricted by CON regulations in 21 states. They find

The January issue of *Budget & Tax News* reports the U.S. Department of Housing and Urban Development is proposing to ban smoking in all taxpayer-funded housing apartments in the country. The rule may extend to e-cigarette use in public housing. William Anderson, a professor of economics at Frostburg State University, says the proposed rule goes too far. If you ban e-cigarettes, there literally is nothing else that you can't ban, Anderson said. What about reading material?

Environment & Climate News

Health Care News

School Reform News

that CON laws reduce access to quality health care services and severely limit the number of small providers in a state. [Read more](#)

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The Heartland Institute is a 30-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.

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Subject: Ohio Chamber Legislative Update 1/18/2016



January 18, 2016

KNOW THE ISSUES

See the legislation we're tracking and find out how it could affect your business.

We're All For...

A REALISTIC FIX TO OHIO'S BROKEN UNEMPLOYMENT SYSTEM

Last week, numerous amendments to HB 394, legislation intended at restructuring Ohio's broke and broken unemployment compensation system, were discussed. Though these amendments are in response to their concerns, labor and others remain opposed to the bill. **Find out the latest.**

Click here to see the bills we are following.

NEW! ALL FOR OHIO BLOG

All of our blog posts have been moved to our new blog website at **www.allforohio.com.**

Be sure to read all of our blog posts, including the latest:

- **Kasich's Rise Couldn't Come at a Better Time**
 - **Five Things Businesses Should Know About State of Ohio vs Sierra Club**
 - **We're All for Ohio**
 - **Ohio Workers & National Security Put at Risk**
-

Poll Question of the Week:


Are you optimistic about your company's prospects for growth in the coming year?
Click here to tell us what you think.

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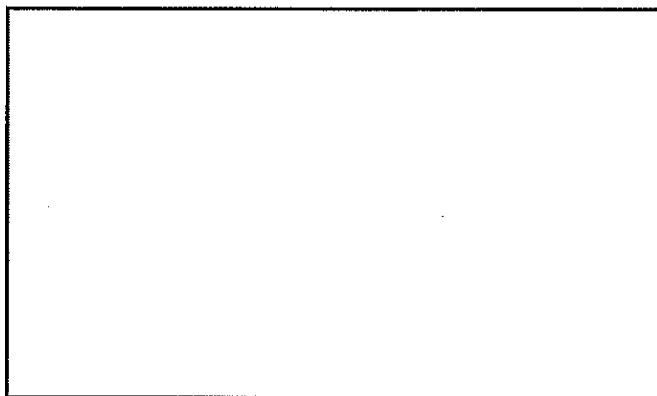
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Newsletter



JANUARY 19, 2016



Great Big Home and Garden Show Tickets

The 2016 Great Big Home + Garden Show, presented by 84 Lumber, returns to the I-X Center with new ideas to renew, restore and refresh any home. With more than 600 exhibits, hundreds of home industry experts, appearances by home and garden celebrities, and returning favorites from the 2015 show, there is something for everyone.

Click [here](#) to purchase tickets at the special COSE rate of \$10 (regularly \$15).

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Blog Roll

[5 Ways to Drive Energy Efficiency at your Business in 2016](#)

[A Big Voice for Small Business: Looking Back, Looking Forward](#)

[OHTec Announces Lineup for Tech Week 2016](#)

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Upcoming Events

**Wednesday,
Jan. 27**



COSE WebEd: Why You? Communicate your Value Proposition

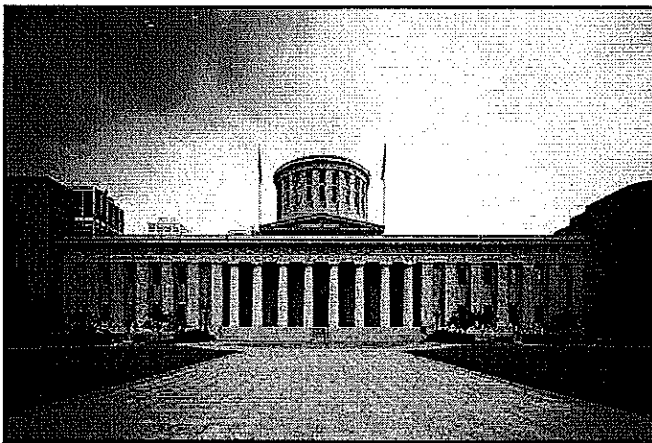
What makes you unique to your customers? How do you stand out? Join Dick Clough, CEO of IDEAENGINEERING for a COSE WebEd Series Webinar on how to get your prospects attention and communicate your value proposition.

Details:

Tuesday, January 26

11:00 a.m. - 12:00 p.m.

Click [here](#) to register.



Public Policy Issues Update

As we begin 2016, the COSE staff would like to take time to provide updates on a number of issues that

[Driving Cash Flow
from Energy
Efficiency Projects
Webinar](#)

Thursday, Feb. 4

[Tech Thursday](#)

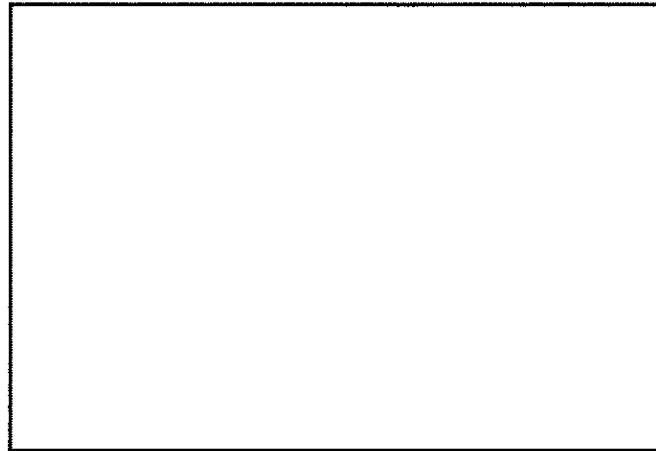
Tuesday, Feb. 16

[COSE WebEd
Series: The
Essential Habits of
Entrepreneurs](#)

[View All Events](#)

are of high importance to our small business members. Some of the issues COSE has been closely involved with include legislation on energy, healthcare, labor and human resources, and taxes.

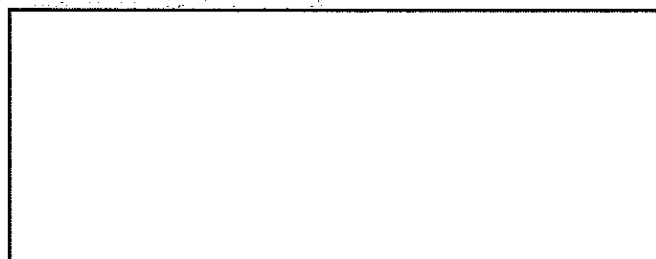
Click [here](#) to read the full update.



Cleveland Internship Summit: Developing the Pipeline

Learn how you can incorporate talented interns into your business, special projects or initiatives at the 2016 Cleveland Internship Summit on Wednesday, February 10, from 7:30 a.m. to 1 p.m. at the Cleveland State University Student Center, 2121 Euclid Avenue. Please mark your calendar and plan to join the conversation with business community representatives and educators about how we can create meaningful internship opportunities that will help power the economic and workforce engines of Northeast Ohio.

Presented by the Greater Cleveland Partnership and Cleveland State University. Click [here](#) for more information or visit gcpartnership.com/internsummit



NEOSC Scholarship Applications

The NEOSC Scholarship Program, managed by the North East Ohio Safety Council, was launched in 2014 to recognize and reward students of safety council member companies for their demonstrated interest in and promotion of safety, health and wellness.

To qualify for the scholarship, the student must be enrolled in high school for the 2015-2016 academic year with a graduation date scheduled in 2016.

Click [here](#) to learn more and apply for the scholarship.

5 Ways to Take Your Sales to the Next Level

Hal Becker doesn't mince words when it comes to assessing the profession he's spent so many years of his life working in. Most sales people (are terrible), the sales consultant says.

So, what is the right way to approach the sales process? Becker and fellow sales professional and consultant, Marvin Montgomery, identified five ways your business development program can be driven to new heights.

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From: ejon1953@gmail.com
Sent: Wednesday, January 20, 2016 10:32 AM
To: phickey@ohiobar.org
Cc: phickey@ohiobar.org
Subject: Ohio Supreme Court must ban profit-motivated private contract mayors court prosecutors
Attachments: VillageofClintonPresentation.pdf

State Supreme Court must ban profit-motivated private "contract" mayor's court prosecutors

The best place to be for a greedy, corrupt and malicious "contract prosecutor" who'll go to great lengths to protect his clients' interests is to have private control of an official job with authority he can abuse to thwart unsuspecting citizens from obtaining justice. It reeks of organized crime. How many citizens who've cut deals with the contract prosecutor in Boston Heights' mayor's court or other courts in a private prosecutor's hands, and paid up instead of fighting for their constitutional rights? They had no clue the prosecutor was a private contractor, or knew he controlled a sleazy team of lawyers he advertises as going to great lengths to discredit allegations of wrongful police conduct. That business model conflicts with the lawful duties of prosecutors, lawyers, law enforcement officers and the administration of justice.

The Akron law firm of DiCaudo, Pitchford and Yoder contracts in Summit County, Ohio contracts lawyers to villages like Boston Heights to perform outsourced prosecution of all traffic and criminal matters. That's the language in a 2014 sales pitch the firm delivered to village officials in Clinton, Ohio. Here's a link. <http://clintonvillageohio.com/Documents/VillageofClintonPresentation.pdf>

The firm also pitches the following services to municipal corporations like Boston Heights where Thomas DiCaudo functions as the prosecutor and his law partner, William Pitchford, is the solicitor.

Our lawyers provide all of the legal services that are necessary to help political subdivisions and governmental agencies function and defend themselves from wrongful accusations.

The **prosecution services** DiCaudo's firm offers include **vigorous attacks against complaints of police misconduct** and coaching client testimony.

We understand the various claims and defenses to these matters. **When a law enforcement officer, correctional facility or municipality is facing potential liability in a claim involving alleged unreasonable search and seizure, cruel and unusual punishment, excessive police force, police misconduct, inadequate public policy or other wrongdoing,** our team of trial lawyers evaluates the case for qualified or absolute immunity, timeliness or other strategic defenses. If such immunities are unavailable, the lawyers at **DiCaudo, Pitchford & Yoder go to great lengths to ensure our clients' interests are preserved through vigorous attacks against the allegations and preparing our client for litigation.**"

There's an affordable hourly fee for the Rackteering Influenced Corrupt Organization (RICO) they've criminally set up to extort money from citizens misled into believing Boston Heights mayor's court is administering justice. Below is, again, language from the Clinton, Ohio sales pitch.

"Marshal Pitchford and the firm of DiCaudo, Pitchford & Yoder propose 24 hours a day, seven days a week service on matters related to preparing or reviewing legislation, general counseling, and attendance at Council meetings representation and counseling related to employment, labor, arbitration, litigation, **police legal advisor services**, specialized needs or projects, meetings or discussions with outside entities (like the county, state, other municipalities, etc.), and economic development and environmental matters all for an hourly rate of \$150."

Every prosecutorial service offered in DiCaudo, Pitchford & Yoder's sales marketing materials to Ohio municipal and county governments violations Disciplinary Rule 1.13, especially since the firm pitches that even if law enforcement officers are wrong, they'll go to great lengths to defend instead of prosecute them as contract prosecutors. The only great length a prosecutor does when defending wrong is violation laws and rules, and obstruct the administration of justice.

If a lawyer for an organization knows or reasonably should know that its constituent's action, intended action, or refusal to act (1) violates a legal obligation to the organization, or (2) is a violation of law that reasonably might be imputed to the organization and that is likely to result in substantial injury to the organization, then the lawyer shall proceed as is necessary in the best interest of the organization. When it is necessary to enable the organization to address the matter in a timely and appropriate manner, the lawyer shall refer the matter to higher authority, including, if warranted by the circumstances, the highest authority that can act on behalf of the organization under applicable law.

The way the private prosecution business model operates in practice under DiCaudo's contract prosecutorial services in Boston Heights mayor's court is that laws and rules are ignored, and agreements with the state to use public safety equipment, are amended for profit. DiCaudo refuses to accept complaints against police officers. He thwarts court proceedings. He refuses to respond to defendant email or calls, and he otherwise abuses the mandatory and discretionary authority of the prosecutor's office as part of the great lengths the firm goes through to protect what he perceives are client interests. It's the same role he played in the city of Akron.

DiCaudo spent 20 years obstructing Mayor Don Plusquellic's efforts to reform Akron's police department. He assisted cops in concealing their unlawful stops, searches, arrests and excessive uses of force, and obstructed citizen complaints against them: all against the mayor and council's wishes. It shows in the civil rights litigation, prosecution reversals, settlements and FBI investigations. It shows in trial comments from former councilor Michael Williams, who ran for mayor, and who testified during a state civil rights case against the city how he didn't know an ordinance he supported was being used by Akron police against black men, unconstitutionally, 85 percent of the time. Rights were being violated and DiCaudo, as prosecutor, never charged the city's cops though he knew crimes were being committed.

It's a role records show DiCaudo played in the investigation of Demetrius Vinson's death when the police homicide victim was investigated by Akron cops with 619 hours of training, less than half the 1500 hours of cosmetologists, who'd manufactured a reason to detain him. DiCaudo's questions in the interview are leading, which is a criticism of prosecutors in the U.S. Department of Justice's July 2002 investigation of Cleveland's deadly force reviews. DiCaudo helped Donald Schismeros conceal video evidence against innocent citizens as an Akron cop. He now represents him as his attorney.

In *Mark Darulis v. City of Akron, Thomas DiCaudo, John Gilbride, Darrell Venable*, 1 F.3d 1240 (6th Cir. 1993), DiCaudo was accused of a policy of rejecting citizen initiated criminal complaints against Akron law enforcement officers.

What DiCaudo's firm does is sell constitutionally-defective criminal prosecution services and pervert the justice that otherwise honest and unknowing mayors, councils and judges want for the citizens they serve. Mayors, councils and judges who want constitutional compliance trained into police conduct can't do so with DiCaudo, Pitchford & Yoder obstructing instead of administering justice.

The services they're offering are unprecedented and without judicial oversight because they're privately controlling and concealing their own unlawful and rule violating acts in the filings being submitted to the municipal, county and state courts.

In essence, what they're selling are pre-packaged corrupt legal services to Ohio governments with zero accountability or ethical guidance. **Municipal corporations can not enter contracts with private prosecutors to perform obstructive acts that are inconsistent with the office's duties, and the administration of justice**, simply because attorneys like DiCaudo see the constituents of the government, and not the taxpayers, as the client. Imagine DiCaudo telling a defendant in a criminal proceeding he won't release a cop's personnel file because it's attorney client privilege. It might sound preposterous but a lawyer operating against a pro se citizen could easily take advantage of such erroneous thinking to frustrate the person into quitting.

What is the impact on justice when a private contract prosecutor and solicitor never reveals to judges the great lengths acts they've committed for \$150 an hour to defend lawbreaking government officials and public employees from knowingly wrongful accusations that include ignoring official duties? No citizen thinking Boston Heights' contract prosecutor is about justice is aware he privately controls the prosecutor's office to protect the firm's client against even valid complaints of unusual punishment, excessive police force, police misconduct, inadequate public policy or other wrongdoing.

For \$150 an hour or more, contractor and prosecutor DiCaudo and his partners get a cut of the \$440,000 law enforcement officers disobeying federal and state laws are misusing LEADS/NCIC databases to raise annually along Route 8 and other streets within the village's borders. They have zero interest in the pursuit of justice or compliance with laws against their personal financial interests. Here's an example of how their services work in Boston Heights.

Boston Heights cops target a motorist traveling at the posted speed limit of 65 mph on Route 8 at night. The village employee decides to follow and exceeds the posted speed limits without operating emergency lights to catch up and investigate the vehicle's registered owner without probable cause. That's three violations of Ohio laws. Exceeding speed limits. Failing to operate emergency lights. Unsafe distance between vehicles. No probable cause violates the 4th Amendment.

The cop violates the state's anti-texting law by recklessly operating what lawmakers have defined as a public safety vehicle at a high rate of speed with one hand while taking his eyes off the road to type a license plate number into a mobile display unit. The unit connects to a state-owned computer database called LEADS. It's connected to NCIC, NLETS and INTERPOL, all are creatures of statute designed for the protection of the officer on the street.

LEADS/NCIC training manuals and laws tell them to maximize use for that purpose on the streets, and to ask themselves if it's for their protection when they use it on the streets. NCIC's manual tells them to use it as a tool only after probable cause has been independently established for their protection before they approach a vehicle. That's a violation of 4 laws and again, the 4th amendment. The use also illegally amends the village's user participation agreement with the Ohio Highway Patrol to use it for the protection of the officer on the street. That's a violation of the agreement and obstruction of official business minimally.

A citizen alleges those facts to DiCaudo, or any other facts, and while the duties of a prosecutor are defined in ORC 2935.09 and 2935.10 of the Revised Code for citizen driven complaints, the private contract prosecutor uses the office to support his perception of the client he's serving and says he'll reject it.

The Supreme Court of Ohio 2013 mayor's court statistics for the village show out of 2813 arrests, 13 were transferred for trial. The contract prosecutor got 313 citizens, including 112 misdemeanants with possible concerns about the lawfulness of their arrest, to take the reduced charge deal. Everyone else paid.

Even if the citizen defends themselves, a private contract prosecutor earning \$150 an hour, motivated by profit and not justice, sees \$25,000 to \$50,000 in billable hours against the taxpayers even if they lose since the mayor and council are trusting his integrity. They don't know their private contractor is maliciously walking them into a liability and obstructing the duties of municipal law enforcement officers under ORC 737.11.

Imagine case law being established as a legal precedent based on the obstructive acts of private prosecutors skilled in laws and motivated by profit, not justice?

Please review the link to the firm's sales materials. Their conduct deserves a very serious review.



DICAUDO, PITCHFORD & YODER

Presentation and Firm Overview

for

the Village of Clinton

November 14, 2014

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DICAUDO, PITCHFORD & YODER

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DICAUDO, PITCHFORD & YODER

Statement of Capabilities

DiCaudo, Pitchford & Yoder, LLC is pleased to provide the Village of Clinton an overview of our firm. Throughout this presentation, you will see examples of our municipal and public law, trial and labor law experience, relevant industry knowledge and resources that we are able to offer. For decades, our lawyers have had the privilege of representing numerous public clients including the state of Ohio, municipalities, counties and regional transit authorities. Our team has experience across a wide range of issues.

Our attorneys place a strong emphasis on partnering with clients and creating a dedicated team to accomplish set goals and secure good results. The firm's government attorneys have a concrete focus on client responsiveness, understanding each political subdivision's needs and objectives, and taking the time to serve as a partner, not just a legal counselor. We also appreciate the financial challenges and the public scrutiny under which public officials must operate and our services are provided with sensitivity to those issues.

The attorneys at DiCaudo, Pitchford & Yoder have proven they can step into any matter and work with your team to achieve set objectives. We understand the services required by public entities and are confident in our ability and experience to handle these matters. We believe that our attorneys' expertise, coupled with our experience with political subdivisions and public entities make us an ideal partner for you, and we appreciate the opportunity to discuss with you how we can build this partnership.



DICAUDO, PITCHFORD & YODER

Law Firm Profile

DiCaudo, Pitchford & Yoder LLC
209 South Main Street, Third Floor
Akron, OH 44308
P: 330.762.7477
F: 330.762.8059

Areas Of Practice

Local Government / Public Law

Like all other organizations that buy products, provide services, enter into contracts, and employ workers, government entities face a wide range of legal issues every day. With a commitment to excellence, DiCaudo, Pitchford & Yoder offers a full-service practice with the breadth and depth required to effectively assist and get results for public sector clients.

Effective public law representation requires a combination of legal knowledge, good judgment and an in-depth understanding of the public policy process. With a commitment to excellence, the lawyers at DiCaudo, Pitchford & Yoder offer a full-service practice with the breadth and depth required to effectively assist and get results for public sector clients like Clinton.

The lawyers at DiCaudo, Pitchford & Yoder also understand the nuances of government contracts and the legal requirements for notices and procedures that must be followed. The largest expenditures for municipalities and local governments are often significant construction projects. At any given time, municipalities and local governments may be constructing or reconstructing a street, administrative building, sewer or water lines, storm water drainage systems, building a police or fire station, or even a recreational center. Our attorneys have the knowledge and experience to help you follow all legal requirements and negotiate and draft general contractor contracts, construction manager at-risk contracts, and establish effective procedures for contractors, subcontractors and bonding issues.

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Representative Services for Local Government

- General legal counseling in connection with operations and procedures and legal advice to officials
- General contract preparation and review
- Serve as law director or special counsel for municipalities and local governments
- Attendance at council meetings and other meetings and hearings
- Preparation of legislation
- Preparation of levy proceedings and legal advice in connection with those proceedings and with general election law matters, including initiative and referendum petitions
- Assistance in connection with public bidding matters
- Consultation regarding open meeting laws and public records requests
- Prosecution of all traffic and criminal matters
- Provision of around the clock legal advisor services for law enforcement officials
- Advise and assist with planning, structuring and financing capital improvement projects
- Prepare for counsel regarding special assessment proceedings
- Preparation and review of intergovernmental agreements and arrangements, as well as public/private partnership agreements
- Legal advice in connection with economic development matters including tax increment financing, joint economic development districts, community economic development authorities, and tax incentives; prepare necessary agreements, legislation and other documentation; assist in developing local incentive programs



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Representative Services (cont.)

- Assistance and legal advice in connection with planning and zoning matters and assistance with the development of municipal design standards
- Assistance with annexation matters
- Assistance and legal advice in connection with the acquisition of real property and all related real estate matters
- Preparation of necessary legal opinions to and for public clients
- Assistance in connection with leasing matters
- Assistance in connection with eminent domain matters
- Reviewing elections forms, filings and related matters.

Civil Rights/Law Enforcement/Gov't Liability

DiCaudo, Pitchford & Yoder is dedicated to representing and defending the integrity and reputation of public officials, public employees, municipalities and government agencies. Our lawyers provide all of the legal services that are necessary to help political subdivisions and governmental agencies function and defend themselves from wrongful accusations. DiCaudo, Pitchford & Yoder's attorneys work to protect the rights and interests of governmental entities including police departments, individual officers, cities, villages, townships, and counties.

Our experienced team of attorneys have successfully performed a variety of functions for our public clients, advising and interpreting various laws and ordinances, providing research and opinions as to numerous legal questions, drafting legislation and contracts, and providing representation in both state and federal court. The lawyers at DiCaudo, Pitchford & Yoder are experienced in all aspects of federal and state civil rights laws and regulations including Title VII, ADEA, ADA, and Section 1981 and 1983 claims.

We understand the various claims and defenses to these matters. When a law enforcement officer, correctional facility or municipality is facing potential liability in a claim involving alleged unreasonable search and seizure, cruel and unusual punishment, excessive police force, police misconduct, inadequate public policy or

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other wrongdoing, our team of trial lawyers evaluates the case for qualified or absolute immunity, timeliness or other strategic defenses. If such immunities are unavailable, the lawyers at DiCaudo, Pitchford & Yoder go to great lengths to ensure our clients' interests are preserved through vigorous attacks against the allegations and preparing our client for litigation.

Representative Services

- Litigation defense of police departments, correctional officers, individual officers, and cities, villages, townships, and counties
- Defense of discrimination claims in all aspects of federal and state civil rights laws and regulations including Title VII, ADEA, ADA, and Section 1981 and 1983 claims

Labor/Employment

The lawyers at DiCaudo, Pitchford & Yoder routinely advise and represent clients with union-represented employees in labor negotiations. Our team also defends employers in labor and employment disputes in state and federal trials and appeals, arbitrations and administrative adjudicatory proceedings on issues ranging from pregnancy discrimination, whistleblower retaliation, wage and hour, to unfair labor practices.

One of our lawyers is certified by the Ohio State Bar Association as an employment and labor law specialist. He is rated "AV preeminent" – the top rating possible by Martindale-Hubbell, the best known attorney ranking service. He also has been listed as a "Super Lawyer" by Thomson Reuters in the area of labor and employment law since 2007.

Our firm is equally experienced in more traditional employment matters, whether it be employment policies, handbooks, and non-compete agreements. Similarly, the attorneys at DiCaudo, Pitchford & Yoder provide training to management and employees on issues involving state and federal constitutional and statutory matters and specific areas such as sexual harassment and age, racial, gender and other types of discrimination. This proactive approach helps our public sector clients avoid the costs and uncertainty of drawn-out litigation and trials.

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When it comes time to end the employment relationship, our attorneys can also provide termination counseling, severance agreements, and work to manage any wrongful termination or unemployment claim.

- Prosecution of all traffic and criminal matters
- Provision of around the clock legal advisor services for law enforcement officials

Land Use/Zoning/Eminent Domain

DiCaudo, Pitchford & Yoder has proven expertise in the area of land use, eminent domain and zoning. The identity and character of a community is often dictated by growth, development, land use and zoning regulations that are established by elected officials. Our team of lawyers has extensive knowledge in the laws governing the rights of the government to implement appropriation of property, land use and zoning controls in balance with the property rights of those wanting to develop. The proper development and implementation of planning tools allow our clients to best prepare for and address the demands that development brings.

The lawyers at DiCaudo, Pitchford & Yoder work closely with government officials to properly draft and implement comprehensive land use, eminent domain and zoning document such as: comprehensive zoning ordinance, planned development ordinances, master planned development ordinances, subdivision ordinances, master land use plans, thoroughfare plans, parks and green space plans, pedestrian trail plans, water and sewer plans, building codes and property maintenance codes.



DICAUDO, PITCHFORD & YODER

The DiCaudo, Pitchford & Yoder Team

Below is the list of DiCaudo, Pitchford & Yoder attorneys who will participate on the team that serves Clinton County. Each team member is licensed to practice law in the State of Ohio and all are in good standing with the Ohio Supreme Court.

The primary firm contact is Marshal Pitchford. He can be reached in our office at 330.762.7477 or and via e-mail at mpitchford@dpylaw.com. Mr. Pitchford will delegate assignments as needed in accordance with your guidelines and expectations. Full attorney biographies are provided below.

Attorney	Title	Years of Experience
Marshal M. Pitchford	Partner, Primary contact	15
Thomas M. DiCaudo	Partner	26
Scott Salsbury	Of Counsel	27
J. Reid Yoder	Partner	12
Ben Sorber	Associate	1

Fee Proposal

Marshal Pitchford and the firm of DiCaudo, Pitchford & Yoder propose 24 hours a day, seven days a week service on matters related to preparing or reviewing legislation, general counseling, and attendance at Council meetings representation and counseling related to employment, labor, arbitration, litigation, police legal advisor services, specialized needs or projects, meetings or discussions with outside entities (like the county, state, other municipalities, etc.), and economic development and environmental matters all for an hourly rate of \$150.

DICAUDO, PITCHFORD & YODER

Marshal Pitchford

mpitchford@dpylaw.com

Practice Areas

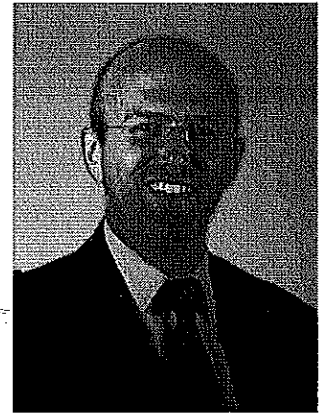
- LOCAL GOVERNMENT
- CIVIL RIGHTS
- RISK MGT./TRANSPORTATION
- LAND USE/ZONING
- LABOR & EMPLOYMENT

Industry Experience

- GOVERNMENT & PUBLIC SECTOR
- TRANSPORTATION

Admissions

- Ohio
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. Supreme Court



Mr. Pitchford has over a decade of experience in the practice of public law, government relations and litigation. His statewide practice primarily focuses on representing public entities, collections and litigation. He has a wide range of experience working for clients in both private and public sector. He counsels clients in both contract preparation, negotiation and strategic planning and also represents numerous large and small manufacturers and businesses.



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ATTORNEYS AT LAW

DICAUDO, PITCHFORD & YODER

Marshal Pitchford (cont.)

Representative Matters

- Significant experience in counseling municipalities and counties in the area of civil rights, employment, discrimination and constitutional law
- Successfully litigated numerous matters on behalf of municipalities regarding zoning and planning matters
- Represents and advises transportation and logistics companies as to various transactional issues, including transportation related service agreements, cargo claims, freight claims, and regulatory compliance, and serves as counsel in related litigation throughout Ohio and the U.S.
- Significant experience in transportation litigation, including transit authority, parcel delivery and bus accidents, personal injury litigation and premises litigation
- Experience includes jury trials, mediations, and arbitrations in federal, state and local courts, appeals in the U.S. Sixth Circuit Court of Appeals and numerous appellate courts throughout Ohio
- Represents several national retail chains in litigation across Ohio and the greater Midwest

Accomplishments

- AV® Preeminent™ rating from *Martindale-Hubbell Law Directory*
- Named to *The Best Lawyers in America®* (2010-2015)
- Selected as an "Ohio Super Lawyers - Rising Star" by *Ohio Super Lawyers* magazine (2009-2015)
- Appointed by Ohio Governor John Kasich to Judicial Review Committee for Ohio Supreme Court (2012)
- The President's Award, Community Health Center (2011)
- Law Clerk for Judge Beth Whitmore, Ohio Court of Appeals, Ninth Judicial District
- Leadership Akron, Class XXVI (2009-2010)

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Marshal Pitchford (cont.)

Education

- 1999 J.D., The University of Akron, School of Law
 - *Akron Law Review* (1998-1999)
- 1996 B.A., Miami University

Professional Affiliations

- Akron Bar Association
 - Judicial Commission
 - Common Pleas and Appellate Committee
- Ohio State Bar Association
- Defense Research Institute, Trucking Committee

Community Affiliations

- Village of Boston Heights, Village Solicitor
- Akron Kiwanis Foundation, Past Member of Board of Directors
- Center for Community Health, Secretary, Executive Committee and Board of Directors
- Mobile Meals Foundation, Past Chairman and Board of Directors
- The University of Akron School of Law Alumni Association



DICAUDO, PITCHFORD & YODER

Marshal Pitchford (cont.)

Publications

- "If It Sounds Too Good to be True...Inherent Problems with Awarding Damages for Pre-Impact Fear" - *Trucking Industry Defense Association Spring Newsletter* (March 2012)
- "Wake-Up Call for Carrier and Driver: Falling Asleep Can Result in Punitive Damages" - *For The Defense*, DRI Magazine (December 2011)
- "Your Rapid Response Team and Discovery: How to Avoid Producing Your Investigative Team and File" - *USLAW Magazine* (Fall/Winter 2011)
- "Extreme Caution and a Driver's Standard of Care When Encountering Inclement Weather" - *The Transportation Lawyer* (July 2011)
- "The Fight Over Residency Requirements: The Statehouse v. The Courthouse" *Northeast Ohio Municipal Leader* (Spring 2006)
- "Take It If You Dare: Ohio's New Economic Development Eminent Domain Law" - *Northeast Ohio Municipal Leader* (Winter 2006)
- "Bid Readers Beware: Don't Pay Twice for the Same Project" - *Northeast Ohio Municipal Leader* (Fall 2005)

Presentations

- "Your DOT Audit: The Nuts and Bolts of an Audit and How to Prepare" - USLAW (2009)
- "How to Manage the Crisis and Protect Your Company When Catastrophic Accidents Occur" - Ohio Trucking Association, Ask the Expert Series (2008)
- "Preserving the Company in a Crisis" - The Greater Columbus Safety Council (2008)
- "All In: Practical Issues Facing Trucking Companies in International Trade" - USLAW (2008)
- "Don't Get Left in the Dark: Understanding the 'Black Box' and Its Importance" - Ohio Trucking Association, Safety Council (2008)
- "Protecting and Preserving Your Company in a Crisis" - Ohio Manufacturers Association (2007)
- "Trucking Litigation and D.O.T. Regulations in Ohio" - Lorman Educational Services (2006)
- "What to Do When the Inevitable Happens: Crash Scene Management and Emergency Response Protocols" - Ohio Trucking Association, Safety Council (2005)

Scott Salisbury

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Practice Areas

- COLLECTIVE BARGAINING
- UNFAIR LABOR PRACTICES
- GRIEVANCE ARBITRATION
- EMPLOYMENT



Mr. Salsbury represents management in labor and employment law. His labor practice includes collective bargaining, unfair labor practices, advising non-union clients on strategies to maintain that status and grievance arbitration. He routinely represents clients before the NLRB. Mr. Salsbury's employment practice involves advising clients on employment issues that include wage and hour, disability discrimination and Family & Medical Leave matters. He routinely represents clients before the U.S. EEOC and the U.S. Department of Labor and regularly defends clients in state and federal trial and appellate courts.

Education

- 1987 J.D., The Ohio State University College of Law, Columbus, Ohio
 - *Law Journal: Ohio State Journal on Dispute Resolution*
- 1984 BA, Kent State University, Kent, Ohio

Publications

- *Clarity or Calamity? The NLRB Tries Again to Define Supervisors*, Cleveland Bar Association Monthly Magazine, March, 2007
- *Employee Use of Social Networking Sites*, The Academy Advocate, Issue 2, Volume 4, 2009
- *The NLRB Brings Change to Healthcare Employers*, Cleveland Metro Bar Association Monthly Magazine, March 2012

DICAUDO, PITCHFORD & YODER

Scott Salsbury (cont.)

Representative Matters

Sokol v. Akron General Med. Center, 173 F.3d 1026 (6th Cir. 1999)
Dietelbach v. Ohio Edison, 1 Fed. Appx. 435 (6th Cir 2001)
Moore, M.D. v. Rubin, M.D., 2004 WL 2803237 (Ohio Court of Appeals 2004)
Vrable III, Inc. and SEIU District 1199, 353 NLRB 102 (2009)
Akron General Medical Center, NLRB Case No. 08-UC-000412(2011)

Presentations/Seminars Taught

- The Labor & Employment Law Session, OHCA Annual Conventions, 2005-2007
- Planning to Manage a Union Facility?, OANH Annual Conference, 2009
- Pregnancy Discrimination: How to Reduce Your Risks, OPRA Fall Conference 2011
- Prevent Emerging EEO Issues From Blooming into Thorny Lawsuits, OHCA Annual Convention, 2012
- Employee Labor Relations, OPRA Fall Conference 2013
- Healthcare Wage & Hour Compliance, ASHS Fall Conference, 2013

Honors and Certifications

- OSBA Certified Specialist Labor and Employment Law
- AV® Preeminent™ rating from *Martindale-Hubbell Law Directory*
- Selected as an "Ohio Super Lawyer" by *Ohio Super Lawyers* magazine (2006-2007, 2009-2013)

DICAUDO, PITCHFORD & YODER

Thomas M. DiCaudo

Practice Areas

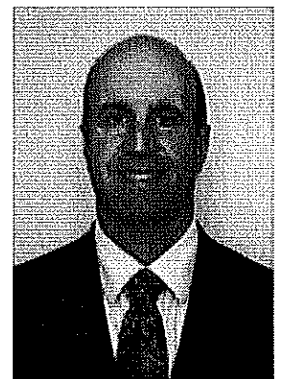
- CIVIL RIGHTS
- GENERAL COUNSEL SERVICES/TRANSACTIONAL
- ESTATE PLANNING/TRUSTS
- CRIMINAL/DUI PROSECUTION

Industry Experience

- GOVERNMENT & PUBLIC SECTOR

Admissions

- Ohio
- U.S. District Court, Northern District of Ohio



Thomas M. DiCaudo graduated from Walsh High School in 1979. He then attended the University of Akron where he graduated with a Bachelor of Arts degree focusing on Accounting. Mr. DiCaudo attended the University of Akron School of Law graduating in the top of his class and was admitted to the practice of law in Ohio in 1988.

After being admitted into the practice of law, Mr. DiCaudo accepted a position with the City of Akron Prosecutor's Office. He was an Assistant Prosecutor from November 1988 to January 1990. He was promoted to the position of Police Legal Advisor in January 1990.



DICAUDO, PITCHFORD & YODER

Thomas M. DiCaudo (cont.)

Mr. DiCaudo was promoted to Assistant Chief Prosecutor in 1991. Mr. DiCaudo supervised courtroom prosecutors, was in charge of liquor enforcement and advised police departments on murders and other high level felonies.

In June 2008, Mr. DiCaudo took his vast experience and knowledge of the law into the private sector. In March 2014, he co-founded the law firm DiCaudo, Pitchford & Yoder, LLC.

Representative Matters

- Led the City of Akron Prosecutor's Office as Assistant Chief Prosecutor for over 16 years
- Served as the Police Legal Advisor and advised police and other law enforcement affairs on procedures, policy and all legal matters
- Represents police officers in defense of civil rights claims, wrongful arrest and prosecution and other related matters
- Represents individuals in defense of OVI, DUI, traffic and other criminal matters
- Preparation and review of traffic and criminal code for various public entities

Education

- 1988 J.D., The University of Akron, School of Law
- 1985 B.A., The University of Akron, Accounting

Professional Affiliations

- Village of Boston Heights, Prosecutor
- Akron Bar Association

DICAUDO, PITCHFORD & YODER

J. Reid Yoder

Practice Areas

- GENERAL COUNSEL/TRANSACTIONS
- BANKRUPTCY/CREDITOR'S RIGHTS
- CIVIL RIGHTS
- LITIGATION
- LABOR & EMPLOYMENT

Industry Experience

- PUBLIC LAW
- MANUFACTURING



Admissions

- Ohio
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio

J. Reid Yoder graduated from Firestone High School in 1996. He attended University of Miami and graduated with a Bachelors of Arts degree in Political Science in 2000. Mr. Yoder attended the University Of Akron School of Law and received his Juris Doctorate in 2003.

He accepted employment with the City of Akron Prosecutor's Office after graduating, where he honed his skills as a trial attorney for over four years. He has lectured at the Akron Police Academy on numerous topics including criminal procedure and police testimony. In 2007, Mr. Yoder left the Prosecutor's Office and began his career in private practice.

DICAUDO, PITCHFORD & YODER

J. Reid Yoder (cont.)

Mr. Yoder has tried numerous high profile cases and is certified by the Ohio Public Defenders Office to handle Capital Murder cases. Mr. Yoder's practice is focused on civil rights, discrimination, employment, criminal law and creditor's rights. He is a member of the Charles Scanlon Inn of Courts and the Akron Bar Association.

Representative Matters

- Represents national manufacturers as general counsel and oversees litigation and transactions across the country
- Defends police officers and public entities in civil rights, employment, discrimination and public-liability matters
- Represents individuals and companies in civil and criminal matters in both state and federal courts
- Serves as lead counsel for several corporations in their creditor's rights and collections efforts

Education

- 2003 J.D., The University of Akron, School of Law
- 2000 B.A., Miami University

Professional Affiliations

- Ohio State Bar Association
- Criminal Justice Act

radler

From: radler@ocqe.org
Sent: Wednesday, January 20, 2016 1:30 PM
To: rep76@ohiohouse.gov
Subject: OCQE PLEDGE + TOLEDO BLADE LETTER TO EDITOR

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Leadership for
Public Charter Schools



Ron F. Adler
OCQE
President

Our pledge to charter schools and their sponsors

Over the last year, there has been an abundance of criticism about Ohio public charter schools and their sponsors. In the majority of cases, this condemnation has been unjustified. And regretfully, a segment of the news media continues to 'pile on' the attacks.

This is a disservice to the schools, sponsors and the tens-of-thousands of families who, for a variety of reasons, have made personal decisions that charter schools provide the best option for their children's education.

Last week, the *Toledo Blade* published an editorial about charter schools that was both disingenuous and unwarranted. Within 24 hours our response was sent to the newspaper - which they published. **See below.**

The Ohio Coalition for Quality Education promises to fight against every unfair and misleading attack and to protect good charter schools...good sponsors...and parents who feel that their family decisions about education must always be paramount.

Ron F. Adler
OCQE President

Letter to the Editor

In defense of charters

January 17, 2016: I'm writing in response to the Jan. 11th *Toledo Blade* editorial: Charter accounting.

Suggesting that political contributions by charter school operators tilts the playing field in favor of charters - with no acknowledgement of the significant role teachers' unions play in funding the campaigns of those who oppose school choice - is misleading.

The editorial further notes that the U.S. Department of Education has placed 'on hold' a \$71 million grant approved last year to promote and expand charter schools in Ohio. But the *Blade* fails to point out that the department was likely influenced by well-known charter critics.

State Rep. Teresa Fedor (D-Toledo) wrote to the federal agency discouraging the award of federal charter grant funding to Ohio. It's unfortunate that anyone would oppose resources aimed at helping students simply because they do not support school choice.

With regard to the *Blade's* comparison of charter and traditional public school academic performance, one should not focus exclusively on the two related studies by Stanford University. There are questions about why the study relies on, what the researchers refer to as, a "quasi-experimental" design, and why the state's approach and data for measuring annual student academic growth (value-added) was largely ignored.

Well-researched data demonstrates that when charter schools are compared to traditional urban schools, with 'similar student demographics', charters clearly outperform those neighborhood district schools. Charter schools are working!

It's important that readers understand the high level of accountability to which Ohio charter schools are held. Unlike failing traditional public schools, Ohio's charters are subject to state automatic closure laws for chronic poor academic performance.


Let's not forget, the parents of Ohio's 120,000-plus charter students hold these schools to the ultimate level of accountability. They have the choice - and the power to withdraw children if their needs are not being met. Their decisions on where their children should be educated - must always be respected.

Ron Adler
President
Ohio Coalition for Quality Education
Miamisburg

January 20, 2016



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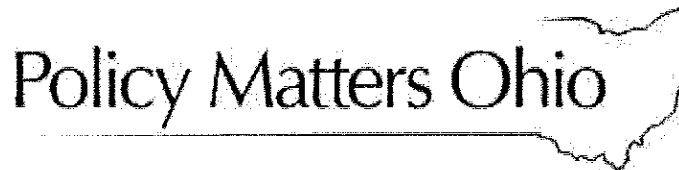
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From: news@policymattersohio.org
Sent: Friday, January 22, 2016 1:07 PM
To: rep76@ohiohouse.gov
Subject: Ohio job growth continues



For immediate release
Contact Hannah Halbert
614.221.4505

December jobs report shows steady growth

Ohio added 15,200 jobs in December, but still underperforms nation

The jobs report for December shows another solid gain for Ohio. The state added 15,200 jobs in December, the third consecutive month showing strong job gains, according to employer survey data released today by the Ohio Department of Job and Family Services (ODJFS).

"Three months of decent job growth is a welcome departure from the variability we've seen most of the year," said Hannah Halbert, workforce researcher with Policy Matters Ohio. "Until October, the gains and losses in 2015 left our overall growth very low, with only 10,700 jobs added between January and September."

"We are not out of the woods," said Halbert. "This late-year rally is certainly good news, but it will take many more quarters like the last one to get the state firmly back on track."

The monthly jobs data are always subject to revision and an annual process to adjust the survey based on wage records. Because the monthly numbers are preliminary, longer-term trends are more reliable indicators of growth. Even with these recent gains, Ohio still trails the nation in job growth for the year. U.S. jobs have grown by 1.9 percent over the last 12 months. Ohio has narrowed the gap, but still underperforms (1.5 percent). Since the official start of the 2007 recession, U.S. jobs have grown by 3.5 percent, while Ohio has yet to add a full percent of growth (0.6 percent).

A separate survey of households also released today by ODJFS showed a slight increase in Ohio's unemployment rate, which rose from 4.5 to 4.7 percent. The uptick was largely a result of an increase in the number of unemployed. At the same time, the total number of people either working or looking for work grew. Since the official start of the 2007 recession, Ohio's labor force has declined by 247,000, a loss of more than 4 percent. The nation's unemployment rate remains at 5 percent, but more people are working or looking for work. The U.S. civilian labor force has grown by more than 2.5 percent since the official start of the recession.

The two surveys released today appear to be at odds, with the employer survey showing job growth and the household survey showing increasing unemployment. The surveys use different methodologies and sample sizes; occasionally the reported data are inconsistent. This underscores the importance of longer-term trends.

"Overall, Ohio is still struggling from a slow and shallow recovery," Halbert said.


Read the release online

###

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with offices in Cleveland and Columbus.*

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Policy Matters Ohio | Columbus | 43215 | Cleveland | OH | 44114

From: info@buckeyeinstitute.org
Sent: Sunday, January 24, 2016 3:06 PM
To: rep76@ohiohouse.gov
Subject: On Blizzards and Buckeye's Work so Far in 2016

This e-mail is best viewed with images.

Buckeye Institute News Update

Dear Friends,

Amidst the torrent of bad news since the New Year (the stock market performing erratically and blizzards making themselves known by name, etc.), The Buckeye Institute is off to a phenomenal start for 2016--thanks to your support!

A few noteworthy accomplishments for your review:

- **U.S. Supreme Court.** As you may recall, President and Chief Executive Officer Robert Alt spoke at a news briefing (video below) on the steps of the U.S. Supreme Court just after oral arguments concluded in the landmark labor freedom case, *Friedrichs v. California Teachers Association*. Robert, a constitutional scholar, filed an *amicus* brief for Buckeye in the case, as well as published extensively in prominent publications including National Review's Bench Memos and SCOTUSblog in the days leading up to oral arguments and was quoted widely in the days after the January 11th arguments.

- **Ohio General Assembly.** Policy Analyst Greg R. Lawson testified earlier this week before a House Committee on why it is smart policy for the State Auditor to do efficiency-seeking performance audits at universities and community colleges. Ohio Rep. Tim Schaffer (R-Lancaster), the bill's co-sponsor, publicly thanked Greg on social media for his testimony. State Auditor Dave Yost touted and quoted Greg's testimony in a news release too.
- **Editorial pages.** The Buckeye Institute is now a mainstay - and the dominant free market voice - on the editorial pages of Ohio's major newspapers. William and Helen Diehl Fiscal Policy Fellow Tom Lampman had an op-ed in the *Toledo Blade*. It was based on his policy study arguing that deregulation would dramatically increase access to health care, especially for low-income Ohioans. In a similar vein, Greg R. Lawson published a letter-to-the-editor in the Columbus *Dispatch* explaining how job growth and reducing poverty -- not just spending more tax money -- is the key to improving education outcomes.
- **News reports.** Our experts are frequent sources to the media on our core policy issues, such as jobs and economic growth. Buckeye's Executive Vice President Rea S. Hederman, Jr., was prominently quoted Friday in the Cleveland *Plain Dealer*'s news story on the latest Ohio jobs report.

Thank you for all you do to advance freedom and prosperity, Happy New Year, and stay warm!

#

Founded in 1989, The Buckeye Institute is an independent research and educational institution--a think tank--whose mission is to advance free-market public policy in the states.

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The Buckeye Institute | 88 East Broad Street | Suite 1120 | Columbus | OH | 43215

jfeasel

From: jfeasel@ohiochamber.com
Sent: Monday, January 25, 2016 8:37 AM
To: rep76@ohiohouse.gov
Subject: Ohio Chamber Legislative Update 1/25/2016



January 25, 2016

KNOW THE ISSUES

See the legislation we're tracking and find out how it could affect your business.

We're All For...

COMMON SENSE REFORMS TO OHIO'S UNEMPLOYMENT SYSTEM

A substitute version of the bill that would fix Ohio's broke and broken unemployment compensation system was accepted. The changes are targeted at addressing concerns from labor, anti-poverty and construction industry groups. **See the changes.**

Click here to see the bills we are following.

NEW! ALL FOR OHIO BLOG

All of our blog posts have been moved to our new blog website at **www.allforohio.com**. Be sure to read all of our blog posts, including the latest:


- **The Presidential Picking Process**
 - **Become a Small Business Advocate**
-

IS GOVERNMENT GETTING IN YOUR WAY?

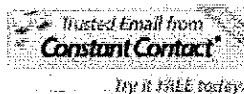
Do you have an issue with how a state law or rule is impacting your business? **Let us know.** We're here to advocate for you.



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Ohio Chamber of Commerce | 230 E. Town St. | P.O. Box 15159 | Columbus | OH | 43215

From: news@policymattersohio.org
Sent: Monday, January 25, 2016 5:25 PM
To: rep76@ohiohouse.gov
Subject: Our latest e-news: Hashtags, hiring and more

Policy Matters Ohio

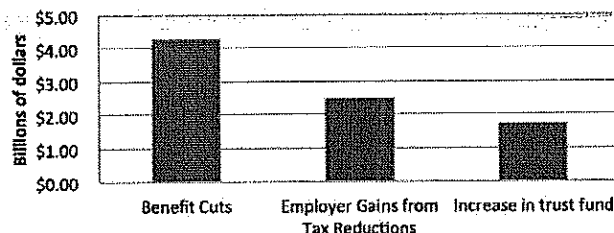
A roundup of happenings at Policy Matters Ohio.....

#Nation'sWorst - Research

Director Zach Schiller exposed an egregious assault on unemployment compensation that would make Ohio's system one of the worst in the country in many ways, slashing benefits, hacking eligibility, and cutting employer taxes. Zach's and researcher Hannah Halbert's dogged reporting on House Bill 394 - the worst anti-worker bill since the SB5 attack on collective

bargaining - sparked statewide news coverage. Major daily newspapers editorialized against the bill, some more than once. Our allies at Advocates for Ohio's Future and in the labor movement testified and issued phenomenal action alerts. Opponents created a hashtag #StartOver394. The backlash slowed the bill, and led lawmakers to make several amendments. But this will be a train wreck if Ohio families don't derail it.

HB 394 Funding Changes to the Unemployment Compensation System, 2017-2025



Hurting a good thing - Senior project director Wendy Patton's recent report found that provisions in the Ohio budget would reverse progress under Medicaid expansion. Expanding Medicaid has delivered health insurance to more than 650,000 Ohioans, saved money, and brought federal dollars into the state. But lawmakers are seeking a waiver from the federal government that would impose premiums and penalties on patients. This will end up causing tens of thousands to lose health-care coverage, as studies have repeatedly found. "This will work against the good health results Ohio has seen with Medicaid expansion," Patton said.

Weatherize it - Since Ohio froze clean-energy and efficiency standards in 2014, electric utility investment in low-income home weatherization has declined by 26 percent. That's the upshot of a recent report written by Policy Matters' Amanda Woodrum, in collaboration with NextGen Climate America and Ohio Partners for Affordable Energy. Weatherization reduces the need for struggling families to seek utility payment assistance and creates

jobs in Ohio's energy economy. If Ohio weatherized 30,000 homes of customers in payment-assistance programs each year for 13 years, we'd create nearly 2,400 jobs and produce roughly \$1.77 billion in savings for Ohio families.

Jobs crawling back - Job growth in Ohio continues to lag the national rate, but the last few months have brought solid gains. The state added 15,200 jobs in December, the third straight month of strong growth, our workforce researcher Hannah Halbert reports in the latest JobWatch. The late-year rally followed very slow growth in 2015. But it will take many more quarters of good results to get Ohio firmly on track. We have added jobs at a rate slower than the nation's since the start of the 2007 recession. U.S. jobs have grown by 3.5 percent since then, while the Ohio rate stands at 0.6 percent.

Zombie power plants - The Public Utilities Commission of Ohio is considering forcing FirstEnergy ratepayers to subsidize two outdated, inefficient power plants that can't produce energy at competitive rates. Researcher Michael Shields described the misguided arrangement to keep the two plants in business - the coal-fired W.H. Sammis plant on the Ohio River and the Davis-Besse nuclear plant near Toledo. "It's a mistake to make First Energy customers pay for this inefficient bailout deal," Michael wrote.

Join our crew: Policy Matters is hiring an outreach coordinator now in Cleveland and recruiting people with a master's degree to take part in an amazing state policy fellowship where you could be placed in our Cleveland or Columbus office starting next fall. The fellowship application deadline is Feb. 8. Check 'em out!

Keep clicking! - We love our social media pals. Keep growing the movement by liking us on Facebook and following us on Twitter.

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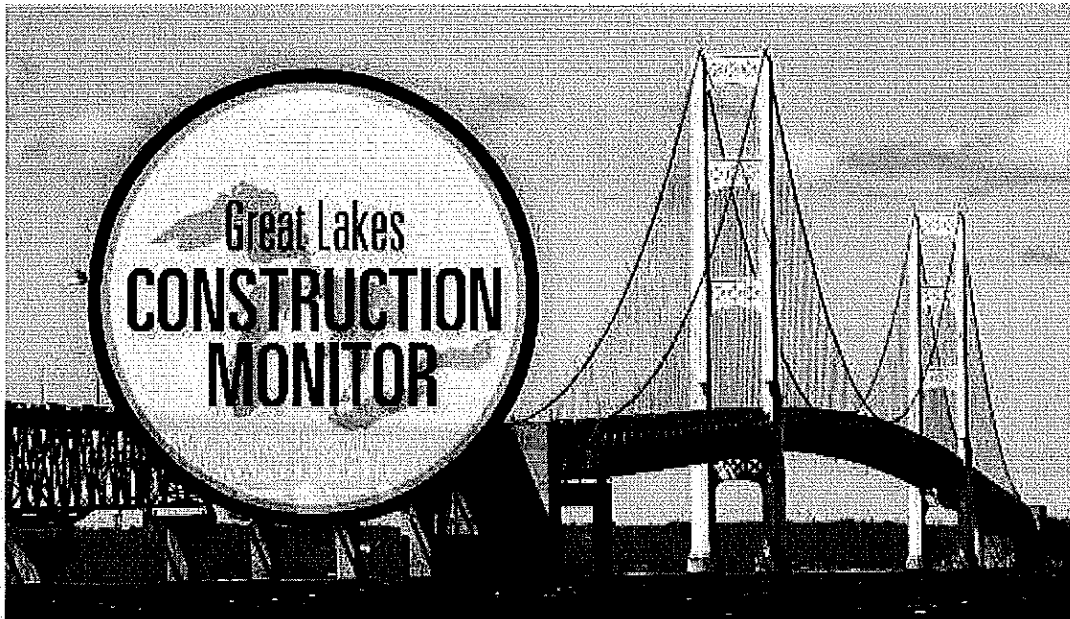
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info

From: info@greatlakesconstructionmonitor.com
Sent: Tuesday, January 26, 2016 10:01 AM
To: rep76@ohiohouse.gov
Subject: Business and Labor leaders speak against OH HB 394

Opposition to Ohio HB 394

[View this email in your browser](#)



Trade Groups Speak out against OHIO HB 394

Columbus, Ohio Jan. 2016:

Representatives for the *construction industry* across Ohio have spoken out **against** HB 394 which was introduced under the premise that Ohio needs a solvent unemployment compensation fund.

ACT Ohio Executive Director Matt Szollosi testified on behalf of Ohios affiliated construction trades as to the economic hardship and harm the bill would bring to both skilled construction professionals and the contractors that employ them. **Detriments** in the bill include additional waiting weeks, reduced benefits and more stringent requirements to qualify for compensation.

Other representatives in the *construction industry* in **opposition** include: The Associated General Contractors of Ohio, Ohio Contractors Association, Ohio Aggregates & Industrial Minerals Association, Transportation Advocacy Group

of Northwest Ohio, Mechanical Contractors Association of Ohio, Builders
Association of Eastern Ohio & Western PA, Construction Employers
Association and National Electrical Contractors Association.

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rogerlbeckett

From: rogerlbeckett@ashbrook.org
Sent: Tuesday, January 26, 2016 11:11 AM
To: Rep76@ohiohouse.gov
Subject: Save the Date: Ashbrook Memorial Dinner on March 3rd, 2016



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[Ashbrook Center](#)
401 College Avenue, Ashland, OH 44805

jeannemelvin.rrt

From: jeannemelvin.rrt@gmail.com
Sent: Thursday, January 28, 2016 11:41 AM
To: kristina.roegner@ohiohouse.gov
Subject: HB 420 Amendment

I **STRONGLY** object to amended House Bill 420 that proposes to punish school employees who suggest that a student should choose to not take any state-prescribed assessment.

These state-mandated tests have no real value to student performance, but they have tremendous value for testing company profits.

They cost significant time, but these tests aren't timely. Schools still don't have final scores from last year's tests!

The test results will ultimately be used to terminate local control by firing elected school boards and allowing outsiders appointed by outsiders to take control of our schools, as in Youngstown.

Most importantly, these tests harm children who understand the high stakes placed on the outcomes.

Ohio legislators set this testing mess in motion by implementing ALEC educational policies, cutting school funding, and overlooking the impact of poverty.

Please don't punish those who speak up for the children and families.

Jeanne Melvin

jehanyok

From: jehanyok@windstream.net
Sent: Thursday, February 11, 2016 9:20 AM
To: rep76@ohiohouse.gov
Subject: Pull the Plug on Utility Handouts

Dear Representative LaTourette,

I don't want my electric bill to go up to pay for AEP's and FirstEnergy's old power plants. The utilities claim they're losing money on their aging plants, and now they're demanding that consumers cover the cost of their bad decisions not to invest in cheaper, cleaner power, like natural gas.

It's outrageous that my electric bill will go up while these giant utilities are earning billions of dollars and paying hefty dividends to their shareholders. Please stand up for Ohio consumers and tell the PUCO to reject AEP's and FirstEnergy's money grab.

PUCO Case #s: 14-1297-EL-SSO; 14-1693; 14-1694

Public Utilities are regulated for the good of the public because they are monopolies. Public Utilities are entitled to bill customers enough to cover equipment, labor, and facilities costs. Any profit achieved should be from efficiency. Rate increases should be justifiable via legally binding accounting audits presented to the PUCO and public press. In other words, all rate increases should be transparent to the public.

Sincerely,

Joseph Hanyok
10375 Auburn Rd
Chardon, OH 44024

From: Maxwell, Dan
Sent: Thursday, February 18, 2016 3:28 PM
To: House_All
Subject: Request for Co-Sponsorship – Paid Parental Leave



MEMORANDUM

TO: All House Members
FROM: Representative Christie Kuhns and Representative Janine Boyd
DATE: February 18, 2016
RE: Request for Co-Sponsorship – Paid Parental Leave

We will soon introduce legislation to create the Family and Medical Leave Insurance Program. Beginning in 2020, the program will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. Only two states, California and New Jersey, offer paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums

have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dan Maxwell, at 466-1645 or via email at Dan.maxwell@ohiohouse.gov. **The deadline to co-sponsor is Monday February 29th at 5:00pm.**

mantajack2001

From: mantajack2001@yahoo.com
Sent: Wednesday, February 24, 2016 8:16 AM
To: rep76@ohiohouse.gov
Subject: Several problems with SB 3

As an educator, I care about my students and I care about the teaching profession. I'm very concerned about Senate Bill 3. This bill contains provisions that would allow certain school districts to hire unlicensed teachers, ignore limits on class size and weaken mentoring of new teachers. These proposals are not good for students and undermine the teaching profession. I urge you to oppose them.

Every student deserves a well-prepared teacher who is licensed as a professional. Teaching is very important and rewarding work. It's also very challenging. It is a disservice to students to pretend that someone can walk in off the street and be an effective teacher. Hiring qualified, licensed teachers, offering them support as they grow in the profession and keeping class sizes small to allow more individual instruction are some of the key elements to helping students succeed. Currently, SB 3 moves in the opposite direction.

Further, the bill would allow all school districts to choose whether participants in the resident educator program complete the program by passing the resident educator summative assessment (RESA) during the third and fourth year of the program or whether they are evaluated under the Ohio Teacher Evaluation System (OTES). I oppose this provision. Licensure and evaluation should be separate. SB 3 would seem to allow a district evaluation to determine whether or not a teacher could advance to a professional license.

Before making changes that impact the teaching profession, our legislators should listen to Ohio's teachers. We know what it takes to do this job. The elements of SB 3 listed above move us in the wrong direction. I urge you to oppose them and to vote "no" on SB 3 if they remain a part of the bill.

Republicans always do little while in Congress. They are constantly disrupting unions and making it difficult for people to do their jobs. They always want less government involvement in people's lives but they always want to dictate how to run someone else's work. Particularly work that they know nothing about...teaching young people. Stop them from trying to do something they know nothing about and give them something as they do nothing. Thanks.

Sincerely,
Jack Wallingford

John Wallingford
10831 AMBLER LN
MANTUA, OH 44255

mantajack2001

From: mantajack2001@yahoo.com
Sent: Thursday, February 25, 2016 9:26 AM
To: Rep76@ohiohouse.gov
Subject: Re: Several problems with SB 3

Thank you. Feel the Bern. JW

On Feb 24, 2016, at 6:45 PM, Sarah LaTourette <Rep76@ohiohouse.gov> wrote:

Dear John,

Thank you for writing to me about Senate Bill 3. Although I am not a member of the House Education Committee, I understand that the bill is still undergoing a great amount of deliberation by the committee members, and it is likely that additional changes will be added to the bill as the process continues. I will be sure to keep your comments in mind in the event that SB 3 comes to the House Floor for a vote.

Please do not hesitate to contact me in the future with your thoughts on any legislative issues.

Sincerely,

Sarah LaTourette

State Representative

Ohio House District 76

----- Original Message -----

From: John Wallingford [mantajack2001@yahoo.com]
Received: 2/24/2016, 8:15:59 AM
To: rep76@ohiohouse.gov;
Subject: Several problems with SB 3

As an educator, I care about my students and I care about the teaching

profession. I m very concerned about Senate Bill 3. This bill contains provisions that would allow certain school districts to hire unlicensed teachers, ignore limits on class size and weaken mentoring of new teachers. These proposals are not good for students and undermine the teaching profession. I urge you to oppose them.

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Sincerely,
Jack Wallingford

John Wallingford
10831 AMBLER LN
MANTUA, OH 44255

jberlin

From: jberlin@ullmanoil.com
Sent: Monday, April 4, 2016 9:29 AM
To: rep76@ohiohouse.gov
Subject: Co-Sponsor S 2707

First Name : Jennifer

Last Name : Berlin

Address : 9812 EAST WASHINGTON

City : CHAGRIN FALLS

State : OH

Zip : 44023

Phone : 440.543.5195

Email : jberlin@ullmanoil.com

Subject :
Co-Sponsor S 2707

Message :

Dear Representative LaTourette,

I am writing to ask you to sign on as a co-sponsor of S. 2707: the Protecting American Workplace Advancement and Opportunity Act.

This legislation, which addresses an important labor issue - overtime - was recently introduced by Senators Tim Scott (R-SC) and Lamar Alexander (R-TN). In July 2015, the Department of Labor (DOL) issued a draft proposal to update the federal overtime rules. Unfortunately, in its proposal, DOL abandoned its traditional methodology, which considered regional salary data when establishing the overtime threshold. Instead, DOL relied on nationwide data and proposed to double the overtime salary threshold from \$23,660 per year to \$50,440 per year. If the rule were to go into effect as drafted, it would likely have significant harmful consequences for small businesses like many of my customers. It is unreasonable to expect a small business operating in rural America to pay the same wages as a city business.

S. 2707 would require DOL to take the overtime proposal back to the drawing board and consider the overall economic impact that such a change in the salary threshold would have on businesses across the U.S. before issuing a new rule. The overtime salary threshold hasn't been updated since 2004, and I do feel that the threshold should be looked at. But I think that there should be a delay and time to review adequately is necessary to make sure nothing is overlooked. However, a dramatic increase, such as the one proposed by DOL that is set without consideration for regional and industry differences would likely harm many businesses, even if such harm were unintended.

Thank you for your consideration of this request.

Best regards,

Jennifer W. Berlin

President & CEO

Ullman Oil Company | 9812 E Washington Street, P O Box 23399, Chagrin Falls, OH
44023

From: Cech, Daniel

Sent: Monday, April 11, 2016 1:57 PM

Subject: Updated Committee Schedule 4/11

Attachments: Committee Schedule-Week of 4-11-2016revised.pdf

Hello,

Attached is the updated committee schedule for the current week of Monday, April 11th, 2016. Please note the additions of Commerce and Labor and Ohio Sunset Review Committee. The most up-to-date version of the schedule can be found at ohiohouse.gov under the committees tab. Let me know if you have any questions, and have a great week!

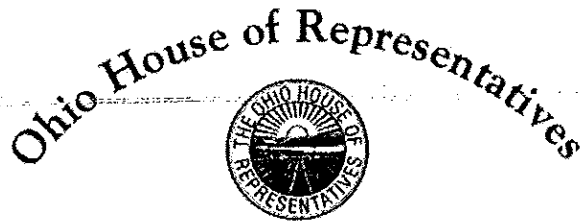
Best,

Daniel Cech

Administrative Assistant/House Clerk's Office

1 Capital Square, Columbus, OH 43215

614-466-3357



Committee Schedule
Week of Monday, April 11th, 2016
(Revised)

Monday, April 11th, 2016

Rules and Reference

10:00 a.m., Room 119, Chair: Amstutz

Tuesday, April 12th, 2016

State Government

8:30 a.m., Room 116, Chair: Maag

Am. S.B. 239 Hughes, 2nd Hearing, All Testimony *PV
Ohio Purple Heart Day-August 7

Am. S.B. 152 Uecker, 5th Hearing, All Testimony *PA *PV
Public improvements-remove local hiring restriction

H.B. 449 Romanchuk/Amstutz, 1st Hearing, Sponsor Testimony
Charles Follis Day-February 3

H.C.R. 32 McColley, 2nd Hearing, Proponent Testimony
To urge the United States Congress to pass the ADA Education and Reform Act of 2015

H.B. 341 Young/Sweeney, 4th Hearing, All Testimony *PA
Towing law-changes

Tuesday, April 12th, 2016

Local Government

9:00 a.m., Room 018, Chair: Anielski

H.B. 302 Henne/Butler, 3rd Hearing, Opponent Testimony
Type II annexation-fire/police/EMS tax levies

H.B. 413 Brinkman, 4th Hearing, All Testimony *PA *PV
Township laws-revise

H.B. 455 Patterson/Roegner, 2nd Hearing, Proponent Testimony
Boarding school-traffic zone-special speed limit

H.B. 462 Hagan/Sprague, 2nd Hearing, Proponent Testimony
Joint police districts/solicitation/drug offense exemptions/naloxone-immunity

Rules and Reference

10:00 a.m., Room 119, Chair: Amstutz

Finance

1:00 p.m., Room 313, Chair: Smith, R.

Sub. S.B. 264 Bacon, 1st Hearing, Sponsor Testimony
Sales tax holiday-back-to-school shopping-permanent

Sub. H.B. 130 Duffey, 2nd Hearing, Proponent Testimony *PA
Public information-accessibility/public office uniform accounting

H.B. 391 Terhar, 3rd Hearing, All Testimony *PV
SmartOhio Financial Literacy Pilot Program

H.B. 483 Amstutz, 1st Hearing, Sponsor Testimony **Pending Referral*
Dept of Developmental Disabilities Modify Programs Of

Government Accountability and Oversight

1:30 p.m., Room 114, Chair: Brown

H.B. 227 Roegner/Reece, 5th Hearing, All Testimony *PA *PS *PV
Cosmetology licensing-revise law

H.B. 183 Antani/Stinziano, 3rd Hearing, All Testimony *PS
State Universities-student trustees-vote/closed sessions

H.B. 444 Blessing, 2nd Hearing, Proponent Testimony
D liquor permit holders-provide free tasting samples to customers

Tuesday, April 12th, 2016

Commerce and Labor

2:00 p.m.(Or Immediately Following Session), Room 122, Chair: Young

H.B. 172 Barnes, 4th Hearing, All Testimony *PS
Fair and Accurate Reporting of Criminal Records Act

H.B. 184 Dovilla/Antonio, 3rd Hearing, Opponent/Interested Parties Testimony
Music therapists-license

Ways and Means

3:00 p.m., Room 121, Chair: McClain

H.B. 404 Schaffer, 1st Hearing, Sponsor Testimony
Sales tax refunds-bad debts on private label credit cards

S.B. 172 Jordan, 2nd Hearing, Proponent Testimony
Sales tax-exempt investment bullion and coins

H.B. 466 Smith, R., 1st Hearing, Sponsor/Proponent Testimony
Sales tax-exempt digital advertising services

H.B. 150 Grossman/Scherer, 3rd Hearing, All Testimony
Hotel intermediaries-taxes

Armed Services, Veterans Affairs, and Public Safety

3:30 p.m., Room 017, Chair: Johnson, T.

S.B. 84 Coley, 1st Hearing, Sponsor Testimony
Landlords-restricting display of U.S. flag/service banners and flags-prohibit

H.B. 464 Terhar/Brinkman, 1st Hearing, Sponsor Testimony
Nat'l Guard scholarship-no repayment-leave for US Armed Forces

H.B. 388 Scherer, 4th Hearing, All Testimony *PS *PV
OVI-ignition interlock devices/modify penalties

Sub. S.B. 123 Hughes, 3rd Hearing, Opponent/Interested Parties Testimony
Emergency personnel-in public safety vehicles-report traffic violations

S.C.R. 9 Uecker, 2nd Hearing, All Testimony *PV
To urge the Congress of the United States to disapprove the Iranian nuclear agreement known as the Joint Comprehensive Plan of Action

Tuesday, April 12th, 2016

Judiciary

3:30 p.m., Room 116, Chair: Butler

H.B. 432 Cupp/Rezabeck, 4th Hearing, All Testimony *PV

Revise laws governing decedent's estates

H.B. 339 Young, 2nd Hearing, Proponent Testimony *PA

Application of foreign law-prohibited if detrimental to constitutional rights

H.B. 268 Hall/Dever, 2nd Hearing, Proponent Testimony *PS

Human trafficking-expungement and compelling prostitution-penalties

H.B. 362 Stinziano/Kunze, 3rd Hearing, All Testimony *PS

Impede breathing/circulation of another-prohibit

H.B. 38 Patmon, 3rd Hearing, All Testimony

Disabled or elderly victim-additional imprisonment

H.B. 451 Boose, 3rd Hearing, All Testimony

Life-support-forfeit priority-protection order/separation proceedings

Ohio Sunset Review Committee

3:30 p.m., Senate South Hearing Room, Chair: Senator Jordan

Community and Family Advancement

4:00 p.m., Room 114, Chair: Derickson

H.B. 298 Schaffer/Maag, 3rd Hearing, Opponent Testimony

Drug testing-unemployment benefits and Ohio Works First pilot

H.B. 286 Vitale, 3rd Hearing, Opponent Testimony

Religious-not required to solemnize marriages-if object for religious reason

Wednesday, April 13th, 2016

Education

9:30 a.m., Room 313, Chair: Brenner

H.B. 382 Leland, 1st Hearing, Sponsor Testimony
Ohio Principals Month-October

H.B. 438 Patterson, 1st Hearing, Sponsor Testimony
Ohio Public Education Appreciation Week-week before Thanksgiving week

H.B. 383 Hagan, C./McColley, 3rd Hearing, Proponent Testimony
Informed Student Document Act-Economic and Financial Literacy

H.B. 160 DeVitis, 1st Hearing, Sponsor Testimony
State Universities-textbooks

Financial Institutions, Housing, and Urban Development

9:30 a.m., Room 113, Chair: Terhar

H.B. 149 Dever/Patterson, 4th Hearing *PS
Civil rights laws-damages/attorney's fees/civil penalties/landlord exemption

H.B. 418 Barnes, 1st Hearing, Sponsor Testimony
Delinquent tax sale-not if homeowner a senior

H.B. 463 Dever, 1st Hearing, Sponsor Testimony
Foreclosure actions-revise relevant laws

Health and Aging

9:30 a.m., Room 116, Chair: Gonzales

H.B. 261 Grossman/Huffinan, 6th Hearing, All Testimony *PS *PV
Trauma centers-designate levels

H.B. 276 Schuring, 4th Hearing, All Testimony *PS *PV
Chiropractors-scope of practice-engage in certain activities

H.B. 417 McColley/Koehler, 4th Hearing, Opponent Testimony *PS *PV
Abortion-fetal remains-final disposition

H.B. 419 Sears/Ginter, 4th Hearing, Opponent Testimony *PS *PV
Abortion-fetal remains-disposition

H.B. 411 Pelanda, 2nd Hearing, All Testimony *PV
Diffuse Intrinsic Pontine Glioma Awareness Day-September 26

Thursday, April 14th, 2016

Ohio Constitutional Modernization Committee

Education, Public Institutions, and Local Government Committee
9:30 a.m. to 11:00 a.m., Room 017

Finance, Taxation, and Economic Development Committee
11:00 a.m. to 12:30 p.m., Room 018

Coordinating Committee
12:30 p.m. to 1:00 p.m., Room 017

Full Commission
1:30 p.m. to 2:30 p.m., Room 121

Legislative Branch and Executive Branch Committee
2:30 p.m. to 4:00 p.m., Room 018

Ohio Criminal Justice Recodification Committee
1:00 p.m., Room 313, Chair: Honorable Fred Pepple

PV – Possible Vote
PA – Possible Amendments
PS – Possible Substitute

mikemulanax

From: mikemulanax@gmail.com
Sent: Friday, April 22, 2016 7:59 AM
To: rep76@ohiohouse.gov
Subject: Don't pre-empt local efforts to raise the minimum wage

Apr 22, 2016

State Representative Sarah LaTourette
Vern Riffe Center, 11th Floor
77 South High Street
Columbus, OH 43215-6111

Dear State Representative LaTourette,

As someone who is concerned about the American economy, I strongly urge you to oppose any effort to undermine local initiatives to raise the minimum wage in your state's communities -- especially those now being advanced by the American Legislative Exchange Council (ALEC).

Most disturbing is how the corporate interests at ALEC are influencing state legislators to the point of providing online templates for bills that advance their profits at the expense of workers and taxpayers.

PK Watch says "corporate interests and groups like the American Legislative Exchange Council (ALEC) have increasingly been turning to state 'preemption' measures -- some of them unprecedentedly aggressive -- to override an array of progressive policy gains at the city or county level," adding that the director of the watchdog group Preemption Watch noted that "2015 saw more efforts to undermine local control on more issues than any year in history,"

State General Assemblies that work to circumvent local efforts to secure a higher minimum wage are potentially thwarting the will of the people and shackling the working poor to starvation wages.

Therefore I, the undersigned, insist that all states reject any legislation that prohibits or otherwise undermines local efforts to raise the minimum wage.

Sincerely,

M. Mike Mulanax
8589 State Route 303
Windham, OH 44288-9780
mikemulanax@gmail.com

yolandahershey

From: yolandahershey@yahoo.com
Sent: Monday, April 25, 2016 8:59 AM
To: rep76@ohiohouse.gov
Subject: Don't pre-empt local efforts to raise the minimum wage

Apr 25, 2016

State Representative Sarah LaTourette
Vern Riffe Center, 11th Floor
77 South High Street
Columbus, OH 43215-6111

Dear State Representative LaTourette,

As someone who is concerned about the American economy, I strongly urge you to oppose any effort to undermine local initiatives to raise the minimum wage in your state's communities -- especially those now being advanced by the American Legislative Exchange Council (ALEC).

Most disturbing is how the corporate interests at ALEC are influencing state legislators to the point of providing online templates for bills that advance their profits at the expense of workers and taxpayers.

PR Watch says "corporate interests and groups like the American Legislative Exchange Council (ALEC) have increasingly been turning to state 'preemption' measures -- some of them unprecedentedly aggressive -- to override an array of progressive policy gains at the city or county level," adding that the director of the watchdog group Preemption Watch noted that "2015 saw more efforts to undermine local control on more issues than any year in history,"

State General Assemblies that work to circumvent local efforts to secure a higher minimum wage are potentially thwarting the will of the people and shackling the working poor to starvation wages.

Therefore I, the undersigned, insist that all states reject any legislation that prohibits or otherwise undermines local efforts to raise the minimum wage.

Sincerely,

M. Yolanda Hershey
230 Sandover Dr
Aurora, OH 44202-8774
yolandahershey@yahoo.com

charles.s.may

From: charles.s.may@gmail.com
Sent: Monday, April 25, 2016 9:16 AM
To: rep76@ohiohouse.gov
Subject: Don't pre-empt local efforts to raise the minimum wage

Apr 24, 2016

State Representative Sarah LaTourette
Vern Riffe Center, 11th Floor
77 South High Street
Columbus, OH 43215-6111

Dear State Representative LaTourette,

As someone who is concerned about the American economy, I strongly urge you to oppose any effort to undermine local initiatives to raise the minimum wage in your state's communities -- especially those now being advanced by the American Legislative Exchange Council (ALEC).

Most disturbing is how the corporate interests at ALEC are influencing state legislators to the point of providing online templates for bills that advance their profits at the expense of workers and taxpayers.

PR Watch says "corporate interests and groups like the American Legislative Exchange Council (ALEC) have increasingly been turning to state 'preemption' measures -- some of them unprecedentedly aggressive -- to override an array of progressive policy gains at the city or county level," adding that the director of the watchdog group Preemption Watch noted that "2015 saw more efforts to undermine local control on more issues than any year in history,"

State General Assemblies that work to circumvent local efforts to secure a higher minimum wage are potentially thwarting the will of the people and shackling the working poor to starvation wages.

Therefore I, the undersigned, insist that all states reject any legislation that prohibits or otherwise undermines local efforts to raise the minimum wage.

Sincerely,

M. Dr. Charles May
7939 Dines Rd
Novelty, OH 44072-9501
charles.s.may@gmail.com

sallyvince53

From: sallyvince53@yahoo.com
Sent: Monday, April 25, 2016 9:32 AM
To: rep76@ohiohouse.gov
Subject: Don't pre-empt local efforts to raise the minimum wage

Apr 23, 2016

State Representative Sarah LaTourette
Vern Riffe Center, 11th Floor
77 South High Street
Columbus, OH 43215-6111

Dear State Representative LaTourette,

As someone who is concerned about the American economy, I strongly urge you to oppose any effort to undermine local initiatives to raise the minimum wage in your state's communities -- especially those now being advanced by the American Legislative Exchange Council (ALEC).

Most disturbing is how the corporate interests at ALEC are influencing state legislators to the point of providing online templates for bills that advance their profits at the expense of workers and taxpayers.

PR Watch says "corporate interests and groups like the American Legislative Exchange Council (ALEC) have increasingly been turning to state 'preemption' measures -- some of them unprecedentedly aggressive -- to override an array of progressive policy gains at the city or county level," adding that the director of the watchdog group Preemption Watch noted that "2015 saw more efforts to undermine local control on more issues than any year in history,"

State General Assemblies that work to circumvent local efforts to secure a higher minimum wage are potentially thwarting the will of the people and shackling the working poor to starvation wages.

Therefore I, the undersigned, insist that all states reject any legislation that prohibits or otherwise undermines local efforts to raise the minimum wage.

Sincerely,

M. Sally Vince
11055 Bridle Trl
Chardon, OH 44024-9343
sallyvince53@yahoo.com

From: Lenzo, Mike

Sent: Tuesday, April 26, 2016 1:08 PM

To: Lenzo, Mike

Subject: JLEC Memo on Political Conventions

Attachments: 2016 JLEC Memo on Political Conventions.pdf

Importance: High

To All House Republican Members and Staff:

Attached you will find the 2016 JLEC memorandum on attending a political convention. With the Republican National Convention being located in Cleveland in July, there will likely be many members and staff who decide to attend the convention in various capacities, as well as many different receptions and other events associated with the convention. The attached JLEC memo will help explain the ethics implications of many of the situations that may arise during the convention.

The most important detail to remember regarding the Republican National Convention is that it is a **campaign event**. The exemption that applies to the meetings of national conferences that the General Assembly pays dues to (such as NCSL, ALEC, CSG, etc) **does not apply to the Republican National Convention.**

There will be many different situations that arise regarding the convention. Please contact me if you have any questions.

Michael Lenzo

Majority Legal Counsel

House Republican Caucus

Ohio House of Representatives

614-466-3716

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THE 131ST OHIO GENERAL ASSEMBLY

JOINT LEGISLATIVE ETHICS COMMITTEE

OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL

50 W. Broad Street, Suite 1308, Columbus, OH 43215 • (614) 728-5100 • www.jlec-olig.state.oh.us

MEMORANDUM

To: Senate and House Caucus Counsel

From: Office of the Legislative Inspector General

Date: April 26, 2016

RE: *Attendance at National Political Party Nominating Conventions*

Members of the General Assembly and legislative staff may be in attendance at the presidential nominating convention ("political convention") for their respective political parties later this summer. In addition to the actual convention, many events will be held in the host cities (RNC - Cleveland and DNC - Philadelphia) at the same time. These events are likely to be hosted by a variety of different organizations. The purpose of this memo is to review the limitations on what may be accepted and the reporting requirements for Members and legislative staff in attendance.¹ This information is applicable to those in attendance whether as Delegates or as general attendees.

I. Financial Disclosure Requirements – Meals and Beverages:

Members and legislative employees² must identify the source of all **official** meals and beverages where the value exceeds \$100, aggregated per calendar year in *Section 10: Meals, Food and Beverages* on their financial disclosure statement. Only meals *incurred in connection* with the person's official duties must be reported on the financial disclosure statement. In order for a meal to be *incurred in connection* with the person's official duties, it is necessary that the functions are related to, or associated with, the individual's position as a public official or employee. Attendance at a political convention is not related to, or associated with, a person's official duties with the General Assembly. Therefore, meals and other food and beverages

¹ Although questions have been raised in the media as to the applicability of R.C. 2921.02 or 3599.01 "Bribery" in the context of national conventions, JLEC's jurisdiction and enforcement authority does not include R.C. 2921.02 or 3599.01 "Bribery". This memorandum addresses expenditure limits applicable in the absence of bribery.

² For financial disclosure reporting purposes, legislative employees are those employees of the General Assembly or any legislative agency that file a financial disclosure statement.

Committee					
Keith Faber Senate President, Chair	Joe Schiavoni Senate Min. Leader	Capri Cafaro Senator	Lou Gentile Senator	Larry Obhof Senator	Scott Oelslager Senator
Cliff Rosenberger Speaker, Vice Chair	Fred Strahorn House Min. Leader	Ron Amstutz Representative	Kevin Boyce Representative	Nicholas Celebrezze Representative	Dorothy Pelanda Representative
Staff Tony Blessoe Executive Director					

provided to a Member or legislative employee at a political convention are not incurred in connection with their official duties and do not count toward the \$100 threshold.³

II. Financial Disclosure Requirements – Meals and Beverages from Lobbying

Sources:

Meals and beverages provided to a Member or legislative employee directly from an Ohio legislative agent or the employer of an Ohio legislative agent, will be reported by the legislative agent or employer regardless of whether the meals and beverages were related to official duties. Meals and beverages provided by a legislative agent to a Member of the General Assembly or legislative staff while attending a political convention count towards the \$75 annual limit. **The “national conference exception,” often referenced when discussing Ohio’s ethics and lobbying laws, does not apply to political party nominating conventions.**

Members and all legislative staff are reminded that they are prohibited from accepting more than \$75, aggregated per calendar year, in meals and beverages from a legislative agent.⁴ This limit does not apply to meals and beverages from the employer of a legislative agent.⁵ A Member’s or legislative employee’s name will be included in a legislative agent’s Activity and Expenditure Report, if he or she accepts more than \$50 in meals and beverages from the legislative agent in a calendar year.⁶ Meals and Beverages received from the employer of a legislative agent are reportable from \$0.01. A Member or legislative employee whose name appears on a lobbying expenditure report will include this information on his or her financial disclosure statement, under *Section 11: Non-disputed Information*.

Please note: Meals and beverages provided at an All-Invited Event do not count towards the \$75 annual limit or trigger the reporting of a recipient’s name on a lobbying report. An All-Invited Event is a dinner, party, or reception to which all Members of the General Assembly, or all Members of either chamber of the General Assembly, are invited to attend. An event need not be exclusive to General Assembly Members to be considered an All-Invited Event.⁷

III. Financial Disclosure Requirements – Gifts:

Members and legislative employees must identify the source of a gift where the value of the gift or gifts, aggregated per calendar year exceeds \$75 (or if received from a legislative agent, \$25) in *Section 9: Gifts* on their financial disclosure statement.⁸ Members and all legislative

³ Generally, receptions are considered to fall under the meal section where the main purpose of the event is for social gathering and not entertainment, even assuming there is some type of background entertainment. However, where the main purpose is entertainment (i.e., a well-known band is hired to perform a concert), that would be considered a gift.

⁴ R.C. 102.031(C)(2); § 5(B)(2) Legislative Code of Ethics.

⁵ To determine whether an expenditure is attributable to a legislative agent or an employer, the Ohio Legislative Inspector General (OLIG) uses a “point of sale” test. From the perspective of the recipient, the OLIG asks: “at the time of the expenditure, who would the recipient say paid for or provided the expenditure?” See Ohio Lobbying Handbook, at 46.

⁶ Legislative Agents may spend up to \$50.00 aggregated per calendar year per reportable person without itemizing the expenditure. See Ohio Lobbying Handbook, at 41.

⁷ R.C. 101.73(D).

⁸ R.C. 102.02(A)(2)(g). Generally, a gift provided to a spouse is for the use or benefit of the Member or employee (i.e., spouse is receiving the gift because he or she is the spouse of the Member or employee).

staff are reminded of the prohibition on accepting more than \$75, aggregated per calendar year, in gifts from a legislative agent.⁹ A legislative agent or employer of a legislative agent who provides a gift valued at more than \$25, must report the Member or legislative employee as the recipient of a gift on their corresponding Activity and Expenditure Report.¹⁰ In turn, a Member or legislative employee whose name appears on a lobbying expenditure report will include this information on his or her financial disclosure statement, under *Section 11: Non-disputed Information*.

A. Charitable Fundraisers – Tickets:

A non-political fundraiser is one held by a non-profit charitable organization. A ticket to a non-political fundraiser where the source of the ticket is the entity hosting the event is not a gift for lobbying or financial disclosure reporting purposes.¹¹ However, Members and legislative staff are reminded that a complimentary ticket to a non-political fundraiser where the source of the ticket is a third party is a gift.¹² Where the source of the complimentary ticket is a third party, the value of the ticket is the portion of the ticket price that is not a tax-deductible charitable donation.¹³

B. Political Fundraisers – Tickets:

Regarding the acceptance and reporting of tickets to political fundraisers, Members and legislative employees are reminded that a ticket to a political fundraiser given to a Member or legislative staff by a person other than the candidate or committee on whose behalf the fundraiser is being held is a gift.¹⁴ The value of which, is the actual face value of admission.¹⁵ However, complimentary attendance at a political fundraising event is not considered a gift if the source of the complimentary admission is the candidate/committee hosting the event.¹⁶

C. Reporting of Social Events Held by the Political Parties During the Political Conventions:

During the political conventions, the national (RNC/DNC), state (Ohio Republican Party/Ohio Democratic Party), and/or local political parties will also likely hold non-fundraising social events as part of the political conventions. The costs incurred for the social events may be offset by financial support provided to the national, state, or local political parties from third parties, including those who are registered lobbyists or the employers of registered lobbyists. Where the Member or legislative employee is invited by a national, state, or local political party to attend the event hosted by the party, the source of the gift for financial disclosure statement reporting purposes is the party organization hosting/inviting the Member

Therefore, the amount of the gift must be added to the amount, if any, of the gift received by the Member or employee.

⁹ R.C. 102.031(C)(3); § 5(C) Legislative Code of Ethics.

¹⁰ Admin. Code 101-9-01(D)(2).

¹¹ 2000 JLEC Advisory Op. 2000-002; See R.C. 102.02(A)(2)(g).

¹² 2014 JLEC Advisory Op. 2014-003; See R.C. 102.02(A)(2)(g).

¹³ 2014 JLEC Advisory Op. 2014-003.

¹⁴ *Id.*

¹⁵ 2000 JLEC Advisory Op. 2000-002.

¹⁶ *Id.*

or legislative reportable person. Mere financial support provided by sponsors to the national, state, or local political parties does not trigger financial disclosure or lobbying reporting by those sponsors.

IV. Prohibition – Travel:

Members and legislative staff are prohibited from accepting travel expenses¹⁷ from a legislative agent **except actual travel expenses related to official duties**, which Members and legislative employees must identify under *Section 8: Travel* on their financial disclosure statement.¹⁸ Travel payments or reimbursements made to a Member or legislative employee for attendance at a presidential national convention **are not incurred in connection with their official duties**. As such, except for each car trip under 50 miles one way, Members and legislative staff are prohibited from accepting actual transportation/lodging expenses from a legislative agent for any travel related to attendance at a political convention.¹⁹

Please note that travel expenses paid for or reimbursed **by a campaign committee** are not considered gifts for financial disclosure purposes. These reimbursements will be reported in campaign finance reports, thus serving the public interest of full and fair disclosure. Reasonable, ordinary, necessary and verifiable expenses for a candidate/officeholder and spouse to attend a party's national convention are considered to be legitimate campaign fund expenditures.²⁰

¹⁷ For ethics purposes, travel is defined as lodging and any transportation by airplane, train, or common carrier regardless of the distance and any transportation by automobile, for each trip which exceeds 50 miles per trip, one way. Lodging encompasses the following: (1) A stay of one or more nights in a commercial establishment or (2) A stay of one or more nights in a noncommercial private dwelling. As to noncommercial private dwellings, this includes residences owned in whole or in part by a legislative agent. See 1997 JLEC Advisory Op. 97-006.

¹⁸ R.C. 102.031(C)(1); R.C. 102.03(H); § 5(B)(1) Legislative Code of Ethics.

¹⁹ If a Member or legislative employee accepts travel from a non-prohibited source, he or she will report the entity as the source of a gift.

²⁰ Ohio Elections Commission Advisory Opinion 96ELC-09, available at <http://elc.ohio.gov/AdvisoryOpinion/96ELC-09.pdf>.

nalcden

From: nalcden@gmail.com
Sent: Tuesday, May 3, 2016 4:34 PM
To: rep76@ohiohouse.gov
Subject: VOTE NO on Senate Bill 152

Sarah LaTourette,

Thank you for taking the time to read this urgent message. I am writing you today to express my strong opposition to Senate Bill 152 and asking, as your constituent that you vote NO when it comes before the House for a full vote.

Using a local workforce and Project Labor Agreements (PLA's) is good for our community and your district. The use of Local hiring quotas and PLA's really focus on creating a positive community impact as well as promoting their on-time, on-budget completion. These tools are used to address the specific needs of the project AND the community, including provisions that address minority and at-risk targeted training programs, the use of small businesses, apprenticeship ratios, scheduling, work rules, safety, cost-containment, management rights and specialized procedures. They also enable community groups, schools, local governments and others to partner with local unions to connect people from low and middle-income communities with extraordinary training while creating a path to the middle-class through a career in the construction trades. This helps all of us!

Again, please vote NO on Senate Bill 152 when it reaches the floor for a vote. Thank you for your consideration, and I look forward to your response.

Dennis Perk
nalcden@gmail.com
824 S Chillicothe Rd
Aurora, Ohio 44202

gnemeth127

From: gnemeth127@gmail.com
Sent: Wednesday, May 4, 2016 7:36 AM
To: rep76@ohiohouse.gov
Subject: VOTE NO on Senate Bill 152

Sarah LaTourette,

Thank you for taking the time to read this urgent message. I am writing you today to express my strong opposition to Senate Bill 152 and asking, as your constituent that you vote NO when it comes before the House for a full vote.

Using a local workforce and Project Labor Agreements (PLA's) is good for our community and your district. The use of Local hiring quotas and PLA's really focus on creating a positive community impact as well as promoting their on-time, on-budget completion. These tools are used to address the specific needs of the project AND the community, including provisions that address minority and at-risk targeted training programs, the use of small businesses, apprenticeship ratios, scheduling, work rules, safety, cost-containment, management rights and specialized procedures. They also enable community groups, schools, local governments and others to partner with local unions to connect people from low and middle-income communities with extraordinary training while creating a path to the middle class through a career in the construction trades. This helps all of us!

Again, please vote NO on Senate Bill 152 when it reaches the floor for a vote. Thank you for your consideration, and I look forward to your response.

Garry Nemeth
gnemeth127@gmail.com
7560 Country Ln
CHAGRIN FALLS, Ohio 44023

tonymangoni

From: tonymangoni@aol.com
Sent: Wednesday, May 4, 2016 7:36 AM
To: rep76@ohiohouse.gov
Subject: VOTE NO on Senate Bill 152

Sarah LaTourette,

Thank you for taking the time to read this urgent message. I am writing you today to express my strong opposition to Senate Bill 152 and asking, as your constituent that you vote NO when it comes before the House for a full vote.

Using a local workforce and Project Labor Agreements (PLA's) is good for our community and your district. The use of Local hiring quotas and PLA's really focus on creating a positive community impact as well as promoting their on-time, on-budget completion. These tools are used to address the specific needs of the project AND the community, including provisions that address minority and at-risk targeted training programs, the use of small businesses, apprenticeship ratios, scheduling, work rules, safety, cost-containment, management rights and specialized procedures. They also enable community groups, schools, local governments and others to partner with local unions to connect people from low and middle-income communities with extraordinary training while creating a path to the middle class through a career in the construction trades. This helps all of us!

Again, please vote NO on Senate Bill 152 when it reaches the floor for a vote. Thank you for your consideration, and I look forward to your response.

Tony Mangoni
tonymangoni@aol.com
1073 Somerset Lane
Aurora, Ohio 44202

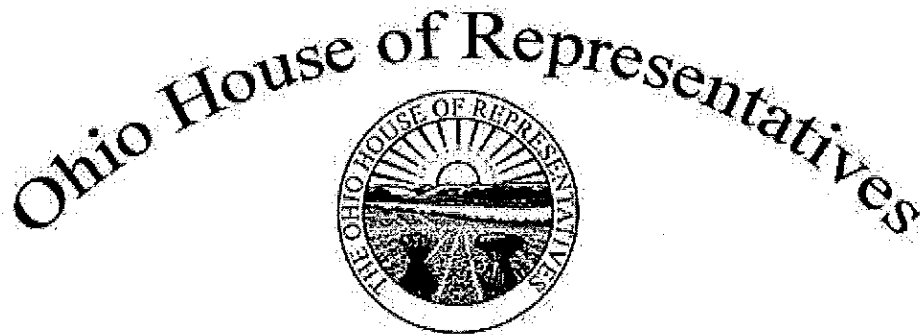
From: Thawley, Roanna

Sent: Monday, June 27, 2016 1:51 PM

To: Thawley, Roanna

Subject: REMINDER: Co-Sponsor Request: Public Sector Right-to-Work

Attachments: Co-sponsor Request_Public Sector Right to Work_Becker.pdf



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: June 27, 2016
RE: Co-Sponsor Request: Public Sector Right-to-Work

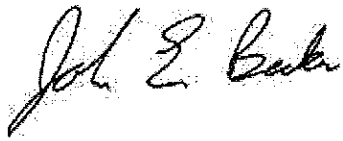
I will soon be introducing a public sector right-to-work bill.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

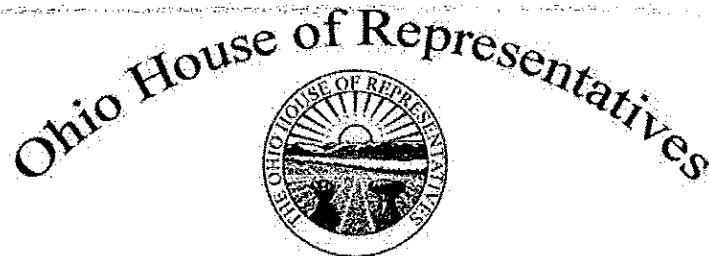
If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, Wednesday, June 29, 2016.

Thank you for your consideration.



John Becker
65th House District

Roanna Thawley
Legislative Aide
State Representative John Becker | Ohio House District 65
77 S. High Street, 12th Floor | Columbus, OH 43215
(614) 466-8134
roanna.thawley@ohiohouse.gov



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: June 24, 2016
RE: Co-Sponsor Request: Public Sector Right-to-Work

I will soon be introducing a public sector right-to-work bill.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

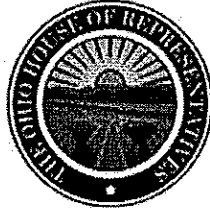
If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, Wednesday, June 29, 2016.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "John E. Becker".

John Becker
65th House District

From: Ohio House Republican Communications
Sent: Tuesday, July 5, 2016 1:04 PM
Subject: Week in Review 6/27/16 – 7/4/16



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

6/27/16 – 7/4/16

The Vindicator: New Ohio state laws and their impact, to take effect in August, September

There were big bills that were signed into law – a \$2.6 billion capital budget with projects across the states, and a fast-paced medical marijuana effort that will add Ohio to the list of states allowing the drug for specified medical conditions.

Sandusky Register: Sandusky State Theatre will be upgraded soon

State Sen. Randy Gardner, R-Bowling Green, and state Rep. Steve Arndt, R-Port Clinton, both included the Sandusky State Theatre in a list of local projects that needed support.

Enquirer: Becker introduces public right-to-work bill

Becker, R-Union Township in Clermont County, called his proposal a "win-win" for both sides: it would allow public sector workers to opt out of union representation and dues. But those who opt out would not be eligible for union protections.

Akron Legal News: New heroin law takes aim at drug dealers

"This legislation will hold the drug dealers who are poisoning our neighborhoods accountable while we continue to help the addicted seek treatment," said Rep. Jonathan Dever, R-Madeira, a sponsor of the bill. "There is no silver bullet for ridding Ohio of heroin, but this law is a part of a solution that includes education and treatment options."

Journal-News: New addiction treatment center opens in West Chester

State Rep. Margy Conditt, R-Liberty Twp, was also at the ribbon-cutting and she feels that Lumiere can help save lives and will be a benefit to Butler County.

Dispatch: Law fills a gap in paramedic care